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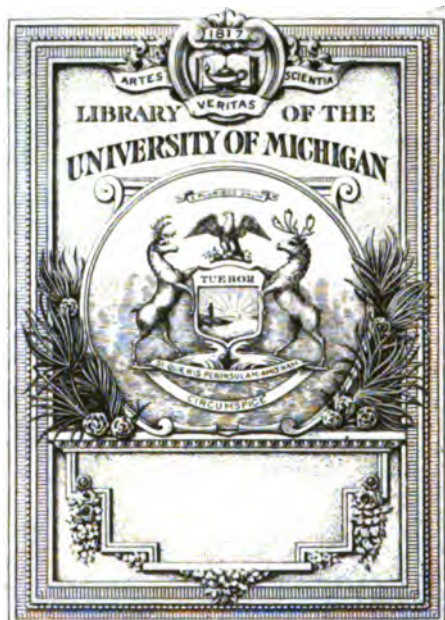
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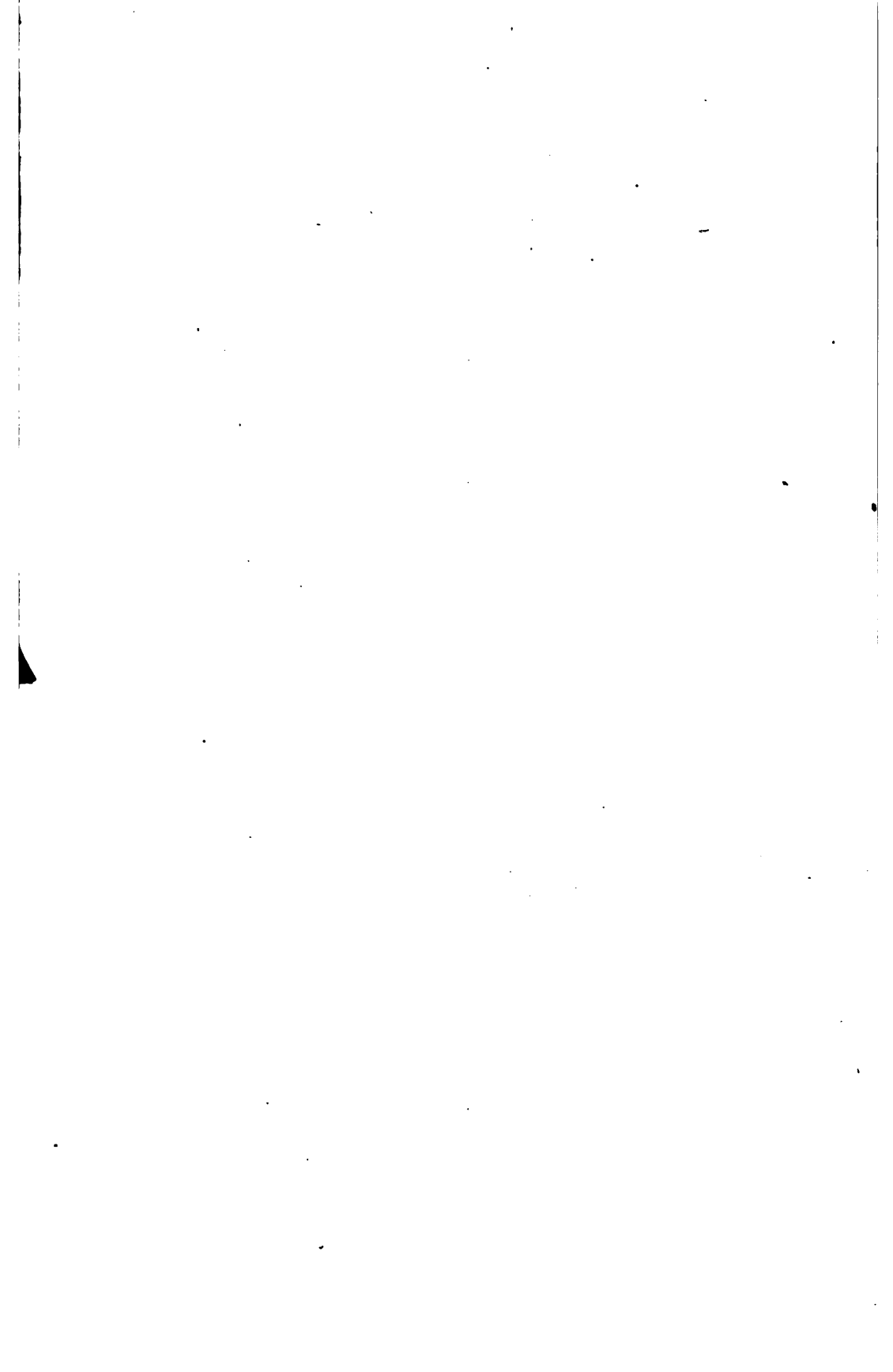
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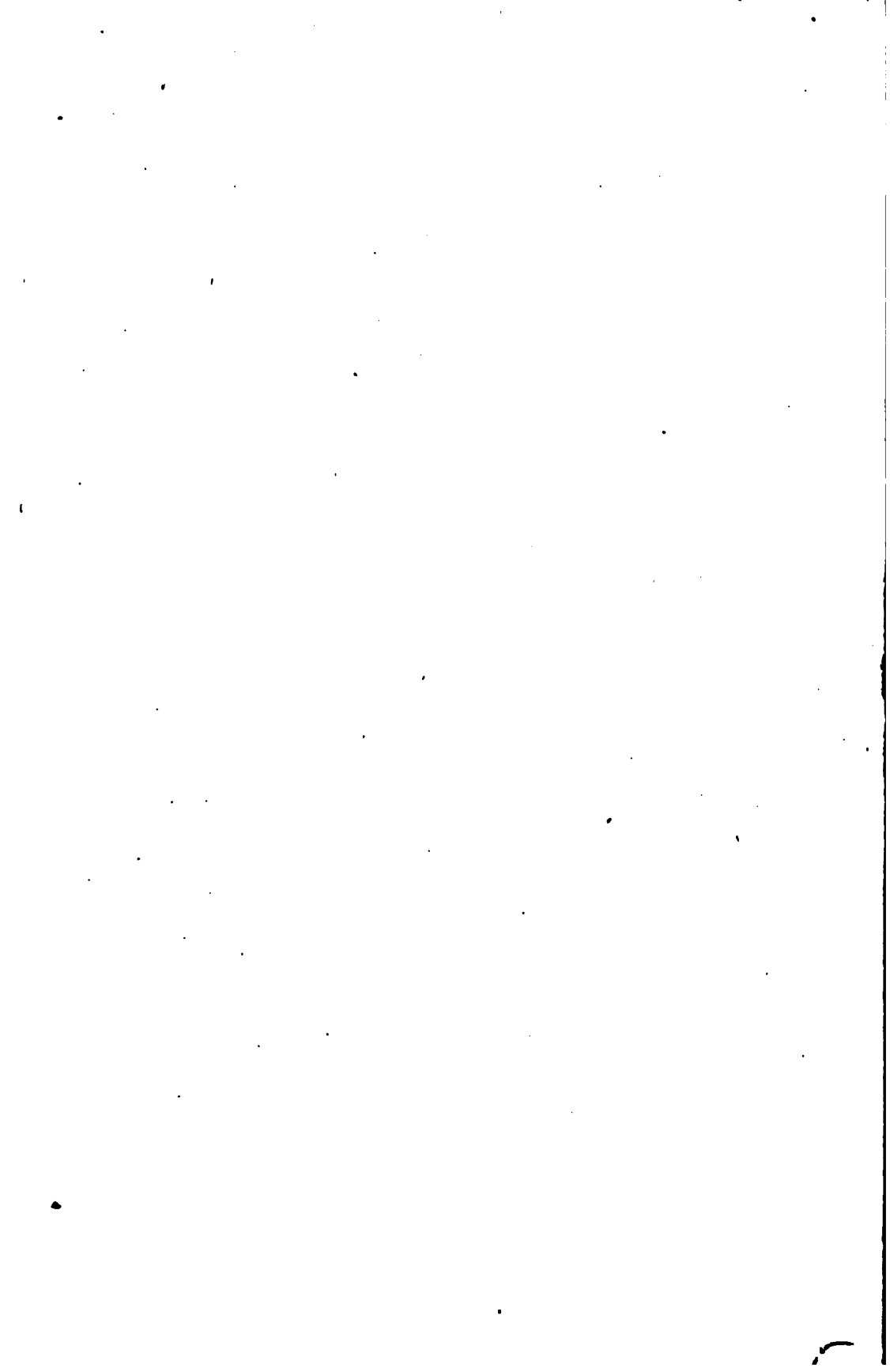


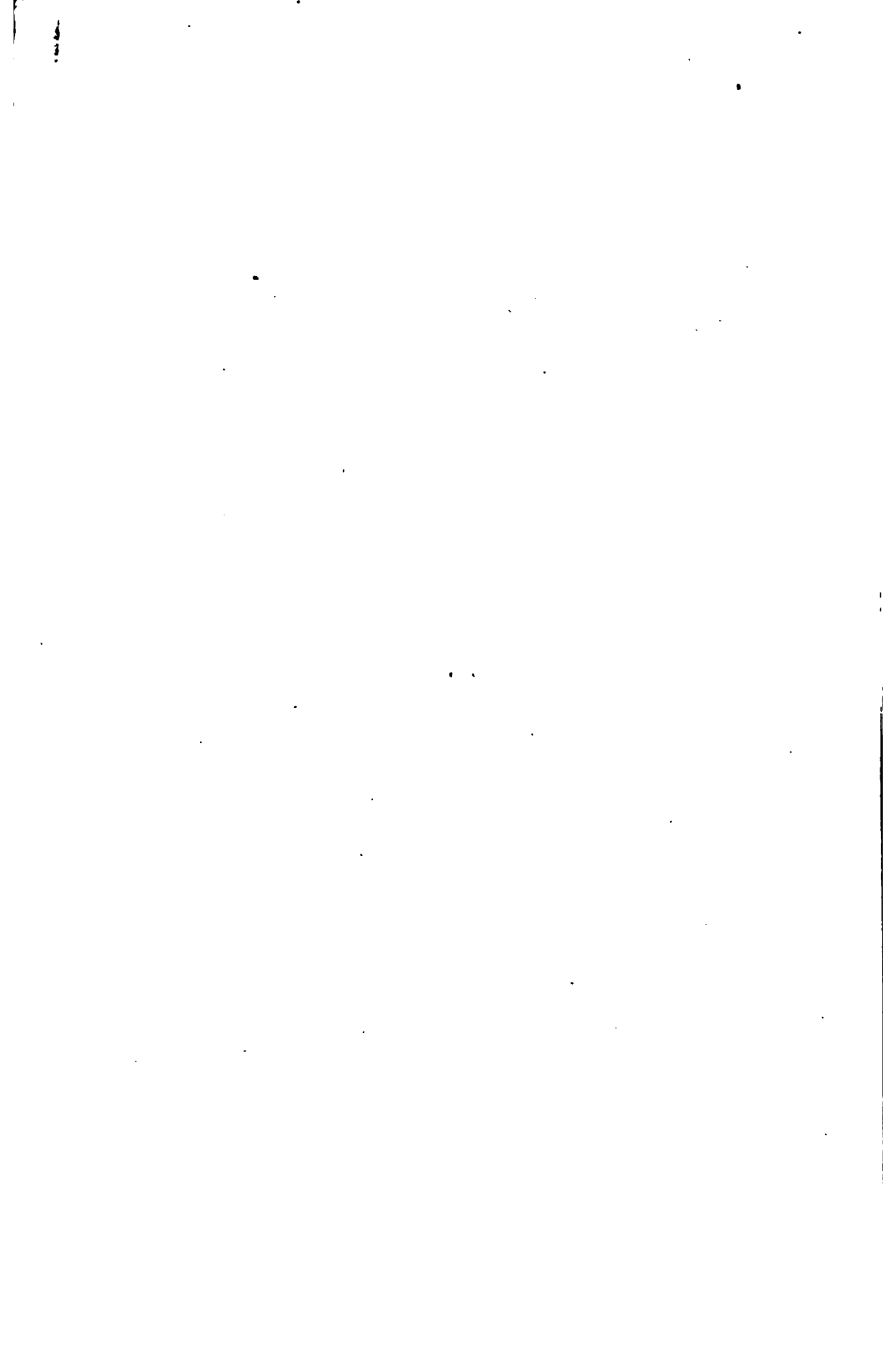
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# HOUSE JOURNAL.

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PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES

OF THE

TERRITORY OF NEW MEXICO.

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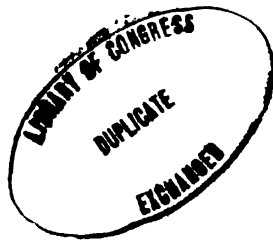
THIRTY-EIGHTH SESSION, BEGUN AT SANTA FE,  
JANUARY 18, 1909.

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SANTA FE, N. M.:  
THE NEW MEXICAN PRINTING COMPANY.  
1909.

By Transfer

MAR 18 1912



# REGISTER

## OF THE

### Thirty-Eighth Legislative Assembly

(January 18 to March 18, 1909.)

TERRITORY OF NEW MEXICO.

#### MEMBERS OF THE COUNCIL.

District.	Name.	Address.
1. Colfax and Union.	E. F. Gallegos, R	Gallegos
2. Taos and Mora	Juan Navarro, R.	Roy
3. Rio Arriba and San Juan	L. Bradford Prince, R.	Espanola
4. San Miguel	Chas. A. Spiess, R.	Las Vegas
5. San Miguel, Quay and Guadalupe	Merrit C. Mechem, R.	Tucumcari
6. Santa Fe and Sandoval	Thomas B. Catron, R	Santa Fe
7. Bernalillo	P. Hanley, R.	Albuquerque
8. Valencia and McKinley	Carlos Baca, R	Los Lunas
9. Socorro and Sierra Estevan	Baca, R.	Socorro
10. Grant, Luna and Doña Ana	James N. Upton, D.	Deming
11. Otero, Lincoln and Torrance	John Y. Hewitt, D.	White Oaks
12. Eddy, Chaves and Roosevelt	W. D. McBee, D.	Melrose

#### MEMBERS OF THE HOUSE.

District.	Name.	Address.
1. Colfax	C. J. Roberts, R	Raton
2. Union	Benjamin F. Brown, R.	Mosquero
3. Taos	Antonio C. Pacheco, R.	Arroyo Seco
4. Mora	A. S. Bushkevitz, R.	Roy
5. Colfax and Mora	W. L. Blattman, R.	Naranjos
6. Rio Arriba	Hermerejildo Martinez, R.	Velarde
7. Rio Arriba and San Juan	Price Walters, R.	Aztec
8. Guadalupe and Quay	M. R. Baker, D	Sunnyside
9. Santa Fe	Roman L. Baca, R.	Santa Fe
10. Santa Fe and Sandoval	E. A. Miera, R	Cuba
11. Valencia	Silvestre Mirabal, R	San Rafael
12. Valencia, McKinley and Torrance.	Jesus C. Sanchez, R.	Tomé

## OFFICIAL REGISTER.

13. Socorro.....Powell Stackhouse, Jr., R. San Antonio
14. Socorro and Sierra....Julian Chavez, R.....Hillsboro
15. Grant and Luna.....F. J. Davidson, D.....Pinos Altos
16. Doña Ana and Otero...W. D. Tipton, R.....Tularosa
17. Grant, Luna, Doña Ana and Otero.....G. E. Moffet, D..... Orogrande
18. Lincoln and Chavez...James W. Mullens, D .... Roswell
19. Lincoln, Chavez, Eddy and Roosevelt..C. R. Brice, D ..... Carlsbad
20. San Miguel.....H. M. Sweezy, R.....East Las Vegas
20. San Miguel.....Antonio A. Gallegos, R... Villanueva
20. San Miguel.....Zacarias Valdez, R..... Las Vegas
21. Bernalillo.....Melquiades Chavez, R.... Old Albuquerque
21. Bernalillo ..... Santiago Garcia, R.....Ranchos de Albuquerque

## OFFICERS OF THE COUNCIL.

Chas. A. Spiess.....	President
Wm. F. Brogan.....	Chief Clerk
A. A. Sena.....	Enrolling and Engrossing Clerk
Thos. P. Gable.....	Sergeant-at-Arms
Rev. Gabino Rendon.....	Chaplain
Jose Gallegos.....	Messenger
Porfirio Olguin.....	Watchman

## OFFICERS OF THE HOUSE.

E. A. Miera.....	Speaker
E. H. Salazar.....	Chief Clerk
E. P. Brown.....	Enrolling and Engrossing Clerk
Saturnino Baca.....	Sergeant-at-Arms
Rev. Anthony Besset.....	Chaplain
E. D. Salazar.....	Messenger
Samuel Rains...	Watchman

# HOUSE JOURNAL.

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## FIRST DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, N. M., January 18, 1909.  
Monday 12:50 o'clock, M.

This being the day designated by law for the organization of the Thirty-eighth Legislative Assembly of the Territory of New Mexico, the gentlemen having certificates to the House of Representatives of the Thirty-eighth Legislative Assembly of the Territory of New Mexico, met at the hall of Representatives, in the Capitol of the Territory, this 18th day of January, A. D. 1909.

Honorable Nathan Jaffa, Secretary of the Territory of New Mexico, made his appearance at 12:50 o'clock m., and called the Assembly to order, according to the requirements of law.

An invocation was offered by Reverend A. Besset.

The Secretary then proceeded to call the roll of members-elect from the different districts of the Territory of New Mexico.

The Secretary announced at the beginning of the roll-call that the members-elect, as their names were called, should appear at the bar of the House, in front of the Speaker's desk, so that he might administer to them the oath of office in a body.

The roll-call by the Secretary and the members answering to the call, and appearing at the bar of the House, are as follows:

Hon. C. J. Roberts, Colfax.  
Hon. Benjamin F. Brown, Union.  
Hon. A. C. Pacheco, Taos.  
Hon. A. S. Bushkevitz, Mora.  
Hon. W. L. Blattman, Mora.  
Hon. H. Martinez, Rio Arriba.  
Hon. Price Walters, San Juan.  
Hon. R. L. Baca, Santa Fe.  
Hon. F. J. Davidson, Grant.  
Hon. James W. Mullens, Chaves.



Hon. M. R. Baker, Guadalupe.  
Hon. E. A. Miera, Sandoval.  
Hon. S. Mirabal, Valencia.  
Hon. Jesus C. Sanchez, Valencia.  
Hon. Julian Chavez, Sierra.  
Hon. W. D. Tipton, Otero.  
Hon. H. M. Sweezy, San Miguel.  
Hon. Antonio A. Gallegos, San Miguel.  
Hon. Melquiades Chavez, Bernalillo.  
Hon. G. E. Moffet, Otero.  
Hon. C. R. Brice, Eddy.  
Hon. P. Stackhouse, Jr., Socorro (absent).  
Hon. Santiago Garcia, Bernalillo.  
Hon. Zacarias Valdez, San Miguel.

Hon. C. J. Roberts, of Colfax, in eloquent words nominated Hon. E. A. Miera, of Sandoval, for Speaker of the House.

Hon. R. L. Baca, of Santa Fe, seconded the nomination of Mr. Miera, and moved that the nominations be closed and that the nomination of Mr. Miera be made by acclamation, which motion unanimously carried.

Upon motion of Hon. R. L. Baca, of Santa Fe, Presiding Officer Hon. Nathan Jaffa named the Hon. R. L. Baca, Hon. S. Mirabal and Hon. W. D. Tipton, a committee to escort the Speaker to the chair.

Hon. E. A. Miera, Speaker-elect, in eloquent words thanked the House for the honor which they had conferred upon him.

The Speaker announced that the next thing in order would be the nomination of a Chief Clerk of the House.

Hon. Zacarias Valdez, of San Miguel, placed in nomination the Hon. E. H. Salazar, as Chief Clerk of the House of Representatives, which motion was duly seconded by Hon. Price Walters of San Juan county, and the nomination of Hon. E. H. Salazar was made unanimous by the House.

Upon motion of Hon. R. L. Baca, duly seconded, Mr. Saturnino Baca was elected Sergeant-at-Arms of the House, and the Rev. A. Besset, Chaplain. The Hon. Nathan Jaffa, Secretary, administered the oath of office to the Chief Clerk, Sergeant-at-Arms and Chaplain, and they entered upon their respective duties.

Upon motion of Mr. Mirabal, a committee was appointed by the Speaker to escort the Hon. Nathan Jaffa, Secretary, to his office, the committee consisting of the following named gentlemen: Hon. S. Mirabal, Hon. R. L. Baca and Hon. M. R. Baker.

Upon motion of Hon. Price Walters, the Speaker appointed a committee of three to notify the Governor of New Mexico that the House was duly organized and ready for business and the Speaker appointed the following gentlemen, to-wit: Mr. Walters, Mr. Roberts and Mr. Mullens.

A communication from the Hon. Mayor of the City of Santa Fe, Hon. Jose D. Sena, extending a hearty welcome to the members of the Legislative Assembly, was read and ordered filed.

A message from the Legislative Council announced that the Council was present and ready to go into joint session with the House for the purpose of hearing the message of the Governor of New Mexico to the Thirty-eighth Legislative Assembly; whereupon the Hon. Speaker handed the gavel to the Hon. Charles A. Spiess, President of the Council; whereupon the Hon. President of the Council called the Joint Session to order and the Governor appeared. The Governor stated that he was in receipt of some telegraphic communications which were of interest to the members of the Legislature, and read them to the Joint Session. After the reading of the telegrams the Governor proceeded with the reading of his message, Hon. W. E. Martin acted as interpreter by request.

*To the Gentlemen of the Council and House of Representatives of the 38th Legislative Assembly of the Territory of New Mexico.*

It becomes the duty of the Governor of New Mexico upon the convening of the legislature to furnish such information as he has at his disposal concerning the condition of the territory and to make such recommendations concerning new legislation as he may deem advisable.

It is a great pleasure for me to meet you and to assure you that it will be my high ambition to co-operate with you in every possible way to secure good legislation for the advancement of our territory and the bettering of the condition of the people.

During the past two years the territory of New Mexico has increased in population more than 100,000 and today we have, conservatively estimated, a population of 450,000.

The panic last year which wrought so much damage throughout the country affected New Mexico very little. I know of only one business failure of any importance and there was not a single failure among the banking institutions organized under the territorial or national laws. The cattle and sheep industry suffered

some, but conditions have improved and everything now indicates that the present year will be a very prosperous one. New towns have been built up; railroads are being extended; new irrigation enterprises are being built; four or five large private irrigation enterprises are under way, while we have under construction, in addition, the Government project known as the Elephant Butte dam, above Las Cruces on the Rio Grande, which when completed will have cost more than eight millions of dollars and which will be one of the largest artificial reservoirs in the world. Its construction will not only give employment to thousands of people during the next few years, but will put 180,000 acres of land under cultivation.

Our assessed valuation has increased to \$52,000,000, and I am reasonably sure that with a fair assessment which we hope to have, the assessed valuation will be over \$60,000,000 for the ensuing fiscal year. The territorial tax rate of 13 mills on each one hundred dollars is the lowest for the past ten years and if the legislature practices rigid economy we will be able to further reduce the tax rate during the coming year.

The election of last fall passed off quietly and I have not heard a single complaint from any source about illegal voting. It is very creditable to our people and goes a long way to show that the people of New Mexico are capable of governing themselves.

The various reports of the territorial officials and regents of the several penal, charitable and educational institutions are appended hereto as exhibits and will inform you of the exact condition of our territory. The management of our various institutions, on the whole, has been very satisfactory. New Mexico is spending more money in proportion to its population and wealth, than is any other state or territory, in the education of the youth.

I sincerely hope that the present, and as I hope the last legislature of the territory of New Mexico, will pass such laws as will be beneficial and reflect credit upon yourselves.

We have every reason to believe that New Mexico at last is to be given her rights and that statehood is very near at hand. The recent rapid increase in population, coupled as it has been with a corresponding increase in wealth and a far reaching development that has made itself felt in every industry, has drawn the attention of the Nation to this territory. The old time antagonism to New Mexico which has existed in the past, in the minds of many eastern Senators and representatives, has in a large measure disappeared. The President of the United States has given and is giving his hearty support to our cause. The President-elect has

also used his great influence in our behalf; and with the majority of the members in both house and senate pledged to support our bill we have cause to hope that not only is this the last legislative assembly of the territory of New Mexico but that before your deliberations have come to a close an enabling act will have been signed by the President of the United States.

A great deal of hard work has been and is being done by many citizens of New Mexico to secure the passage of this bill and although the prospect of early success is now more favorable than ever before, it behooves you as the representatives of the people of New Mexico to do everything in your power to forward our common cause. I therefore urge that at the earliest possible moment you pass and transmit by telegraph a joint memorial, petitioning the Senate and the House of Representatives to pass the statehood bill.

#### TERRITORIAL FINANCES.

The financial condition of the territory is very fully and clearly set forth in the reports of the treasurer and auditor, and their statements will prove of valuable assistance to this assembly in framing the revenue act for the ensuing two years.

In dealing with the finances of any commonwealth one of the most important and fundamental objects to be attained is, not only the judicious appropriation of public moneys, but regulations insuring their proper and legal expenditure, and I take pleasure in stating that the reports of these territorial officials indicate that they have conscientiously carried out this vital principle.

On December 1st, 1906, the commencement of the 58th fiscal year, the cash balance in the treasury amounted to \$360,000.90; receipts for the past two years, \$1,778,512.86, and disbursements for the corresponding period \$1,711,274.53, leaving on hand a cash balance in the various funds amounting to \$427,238.73, which is \$87,237.83 in excess of the balance in the treasury two years ago.

During the past two years the territory has issued bonds in the sum of \$305,000.00 as follows:

\$75,000 Institution bonds, authorized under the law of 1901.

15,000 Armory Building bonds, authorized under the law of 1903.

125,000 Institution bonds.	} Authorized under the law of 1907.
50,000 Capitol Improvement bonds	
40,000 Armory Building bonds	
\$305,000 Total.	

The territory during this time paid off \$125,000 of its outstanding bonded debt, and \$20,000 will be paid this present year.

The above constitutes the entire bond issues of the territory that will mature before the year 1919.

All of the six per cent bonds have been redeemed, so those outstanding at present carry a four and five per cent rate, and the four per cent bonds are selling at par.

The territorial tax rate has been reduced to thirteen mills, and in view of the increase in assessed valuation for the present year, combined with an economical administration of our financial affairs, a still further reduction in the rate should be accomplished for the ensuing year.

The proceeds of a one mill levy for the 59th fiscal year amounted to about \$38,000, and the territorial auditor estimates that in view of our increased valuations a one mill levy will yield, during the present year, about \$42,000.

The territorial tax rate of thirteen mills is the lowest in the history of the territory for the past ten years.

The total outstanding territorial debt at the present time amounts to \$1,023,000.00, and as already stated \$20,000 of that amount will be paid this year.

The sinking funds in the treasury for the redemption of bonds amount to \$61,680.82, and when deducted from the outstanding bonds leaves \$961,319.18 which represents the net indebtedness of the territory.

It is certainly gratifying to know that the financial affairs of the territory are in such excellent condition. Our credit rating is of the highest standard, which commends not only those whose duty it is to officially administer the affairs of the territory, but all those who join in assisting to make this a successful business administration.

#### FINANCES OF COUNTIES.

On January 1st, 1907, there was in the hands of the several County Treasurers, to the credit of County, School Districts, Municipal and Miscellaneous funds, the sum of \$785,381.83, and during that year there was collected from all sources by these officials, \$2,057,964.94 and disbursed by them for all purposes, \$1,931,276.87, leaving on hand aggregate balances amounting to

\$912,069.90, and for the year 1908 the Treasurers collected \$2,405,951.66. Attention is called to the increased collections for the year 1908 over 1907. For the year 1908 these officials paid out the sum of \$2,245,560.88 leaving on hand January 1st, 1909, the sum of \$1,072,460.68.

This large sum of money belonging to the tax-payers of New Mexico, is protected by ample bonds given by County Treasurers, and also further protected by being deposited in County Depositories, which banks also furnish bonds. As shown by certificates from the various depositories of these funds, practically this entire amount was on deposit as required by law.

In this connection I wish to recommend that the Depository Law be amended by a provision requiring County Depositories to pay interest on these deposits, the same as the Territorial Depositories do for Territorial funds intrusted to their care. This would yield a revenue from this source, in round numbers, of \$30,000.00 per annum, which could be diverted to the General School Fund or such County Funds as the legislature might direct.

This matter of revenue is always a question of interest to the tax-payer, and the two small tables following will in a general way, give an idea as to the receipts and disbursements of moneys that pass through the hands of County Treasurers. These statements are for the year 1908 only.

#### SOURCES OF RECEIPTS.

Taxes . . . . .	\$2,019,475.20
Liquor Licenses . . . . .	142,802.10
Merchandise Licenses . . . . .	35,158.78
Poll Taxes . . . . .	37,335.03
Fines, Forfeited Bonds . . . . .	17,988.90
Common School Income . . . . .	38,900.27
Proceeds Loans . . . . .	7,871.08
Sale of Bonds . . . . .	69,750.08
Miscellaneous . . . . .	36,670.02
	<hr/>
	\$2,405,951.46

It will be noticed that the total paid over to the County Treasurers by Clerks of School Districts, for Poll Tax Collections is but \$37,335.03, while our registration for the election held last fall was over 87,000. This would indicate the failure on the part of Clerks of School Districts to perform their duties in the collection of this

tax, or a faulty Poll Tax law. I would recommend that the legislature give this matter its consideration.

#### DISBURSEMENTS.

Cost of county Government paid from General County	
Funds . . . . .	\$ 248,280.66
Boarding Prisoners, (First Class Counties) . . . . .	7,794.21
Cost of holding courts . . . . .	149,956.75
Interest on county and school district indebtedness..	143,906.14
Wild Animal Bounty . . . . .	21,674.15
Improvements of roads and construction of bridges.	88,436.14
Public Buildings . . . . .	50,694.30
Territorial taxes remitted to Territorial Treasurer..	620,802.19
Treasurers commissions . . . . .	82,488.16
Assessors commissions . . . . .	42,533.74
Municipal Governments . . . . .	150,682.90
Public Schools . . . . .	582,925.57
Judgments . . . . .	1,837.94
Improvement Rio Grande . . . . .	13,195.76
Bonds and borrowed money repaid . . . . .	9,000.00
Payment of old floating indebtedness. . . . .	7,232.07
All other payments . . . . .	24,120.20
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	\$2,245,560.88

#### COUNTY AND SCHOOL DISTRICT BONDED INDEBTEDNESS.

The County Bonded Indebtedness outstanding amounts to \$2,795,089, and School Districts in the territory have aggregate bonded indebtedness outstanding of \$413,279.00, making a total of \$3,208,368.00.

With the exception of certain railroad aid bonds, issued by the county of Santa Fe, the legality of which was disputed, interest is promptly paid, and the financial standing of our county and school districts is such that refunds of county indebtedness sell promptly, bearing 5 per cent interest, and in cases of new issues of school district bonds, 6 per cent bonds are readily disposed of to the bond-buyers.

In this connection I would recommend, in order that complete records of this indebtedness may be kept in one place, that this legislature enact a law requiring counties, school districts and municipalities to certify by their proper officers, to the Traveling Auditor, full data of any bond issues that may hereafter be made.

## ASSESSED VALUATION.

The assessed valuation of the territory for the year 1908 was \$56,402,047.26; from which was deducted on account of exemptions, \$3,875,752.25; leaving subject to tax \$52,526,295.01; this is an increase over the year 1907 of \$4,017,197.75.

## TERRITORIAL BANKS.

At this time we have in the territory twenty-eight territorial banks with a capitalization of \$819,500.00, as compared with eighteen banks with a combined capitalization of \$550,500.00 two years ago; an increase in capitalization of \$269,000.00. These twenty-eight banks have combined resources of \$4,240,038.88, with corresponding liabilities; deposits subject to check and time, to the amount of \$3,223,132 and cash and deposits with approved reserve agents of \$1,326,003.00; showing a reserve of over 41 per cent. This is 26 per cent more than required of National Banks in New Mexico, and indicates careful and conservative banking methods on the part of our New Mexico territorial bankers.

During the past six years there have been no failures of territorial banks, and during the hard times of 1908, very few resorted to the use of clearing house certificates, but met all demands that were made upon them in cash.

While the condition of the territorial banks is very gratifying as indicated by the above figures, yet at the same time, our territorial banking laws are inadequate, and I would recommend that those now on the statute books be repealed and a compact up-to-date territorial banking law be enacted by this legislature. I would urge, especially, that Chapter 109, Laws of 1903—permitting mercantile companies with no other capital required than a \$30,000.00 stock of merchandise—should be repealed. This is a "Wild-Cat" measure, and sooner or later, if allowed to remain in our statutes will be the cause of scandal and loss to depositors.

## BUILDING AND LOAN ASSOCIATIONS.

There are ten building and loan associations operating in the territory which, with the exception of two, are purely local in their character and have combined resources and liabilities of \$1,137,725.78. These institutions are prosperous and show by their statements of condition called for by the Traveling Auditor that they have enjoyed a gradual increase in business during the past two years.



## ASSESSMENT AND TAXATION.

The assessment of taxable property and the collection of taxes are questions that involve the interests of the citizen who maintains our government and its institutions, namely the taxpayer.

Very satisfactory progress has been made in this territory towards an equitable assessment of property, and a marked improvement is shown in the collection of taxes.

The present tax law is operating satisfactorily, but with a few slight amendments may be made more effective.

The interest rate on delinquent taxes under the present law is only five per cent, and as this is a lower rate than may be secured in the money market, speculation is invited at the expense of the public.

I recommend that this law be amended so as to provide a penalty of one per cent for the first month, two per cent additional for the second month, and for each succeeding month that the taxes remain unpaid. With the law thus amended and properly enforced, I believe the taxes may be promptly collected.

The territorial board of equalization at a recent meeting, advanced the assessment on railroads, land grants and certain other property, about fifteen per cent.

It has been found difficult to devise legislation whereby the rich and the poor bear equitable proportions of the public tax. Access to the possessions of the small property holder is an easy task for the assessor, while it is well known that vast amounts of value owned by the wealthy citizen is either concealed from the officer, or relieved from assessment in deference to the influence of the wealthy citizen. This is not only wrong and unjust but lamentably un-American, and I consider it the moral duty of the law-makers of this territory to invent some plan of taxation whereby the public burden may be equitably borne by our citizens, and whereby the valuations may be increased and the rate reduced correspondingly.

## EDUCATION.

It is gratifying to note that greater strides have been made during the past two years in educational matters than during any other like period since the establishment of our public school system, eighteen years ago. Since the meeting of the Thirty-seventh Legislative Assembly,—

Our school census has increased from 77,693 to 93,815;

Our teaching corps has increased from 880 to 1065;

Our total expenditure for public schools has grown from \$442,234.37 to \$539,964.65;

The amount expended for teachers' wages has increased from \$276,442.94 to \$345,553.18;

The value of public school property has grown to over \$1,000,000.00;

The value of the property of educational institutions has increased to over \$800,000.00.

The efficiency of the teaching corps in the rural schools has increased many fold.

For the first time in our history, reciprocal relations have been established with the states in the matter of endorsement of certificates, by which the standard of certification of our teachers is recognized as being on a par with that of the states. The only states that have not entered into these relations are those which are prohibited by their laws from so doing. Touching items of vital importance, educationally, we find our territory to-day in advance of several states in the Union and on a par with many. Our children are given a longer average term of school than the children of some of the states, our people expend more per capita for education than do the people of some of our neighboring commonwealths, and on many other items of comparison our condition is very gratifying. The enrollment at our educational institutions has increased very materially, and the work done in these institutions is accepted at the best colleges and universities throughout the Union.

New Mexico cannot afford to take any backward step in educational matters. Among the many questions coming before this assembly there can be none of more importance than the education of the youth of our territory. We have provided liberally for our territorial educational institutions, but we should not forget our duty to the common schools of the territory. With the very liberal donation of public lands by the federal government for our educational institutions and public schools we will be able to give every child an education without heavy burdens on the taxpayer when we are admitted to statehood, as not only sections 16 and 36 already set aside for the public schools, but about 960,000 acres of lieu land, recently donated, will become available for this purpose. As soon as this land may be selected and leased the income will be large, but for the next two years the public schools must be liberally assisted by the tax-payer.

Prof. J. E. Clark, superintendent of public instruction, deserves great credit for the hard work he has done in his department

during the past two years. He has worked faithfully day and night, and his office should be provided with additional clerical help and with an allowance for traveling expenses, for this official and his assistant should not confine themselves to the routine duties of the office, but should frequently visit the various counties of the territory, meet teachers, school directors, parents and pupils, inspect the schools, and thus incidentally spread an ambition for education among the public school children.

#### TERRITORIAL INSTITUTIONS.

Our educational, penal and charitable institutions have necessarily made heavy demands upon the tax-payer. The legislature of 1907 authorized the issue of bonds for the purpose of constructing additional buildings at various territorial institutions, and for other necessary improvements, and also made liberal appropriations for the maintenance of these institutions, all of which was eminently just and proper and has undoubtedly met with the approval of the people.

Relative to charitable institutions of a local character, I very heartily concur in the recommendations of my predecessor, the Honorable H. J. Hagerman, to the 37th legislative assembly, and I now desire to renew his recommendations; to-wit, that charitable institutions of a local character "should not be a charge upon the territory, as a great number of counties contribute to their support without deriving any benefit from them. I will suggest that the county commissioners of the various counties in which these institutions are located, be authorized to fix a levy for the maintenance and carrying out of the objects for which these institutions were established."

While I believe that New Mexico is in some instances paying extravagant sums for the education of individual students, which sums might be reduced if certain of the territorial schools were consolidated; at the same time I believe that now when these institutions are well on their feet, thoroughly equipped, with excellent faculties, and conscientiously managed by conservative boards, and with rapidly increasing enrollments, that they should be maintained separately. In justification of this opinion I have only to point to the marvelous advancement of New Mexico in population and wealth at the present time.

#### TERRITORIAL PENITENTIARY.

During the past two fiscal years, (58th and 59th,) the affairs of the Penitentiary have been administered in a satisfactory manner.

The books of the institution show that on December 1, 1906, there were in the hands of the territorial treasurer aggregate balances to the amount of \$7,002.12. During the two years receipts from all sources amounted to \$219,750.89, of which amount there was received from the sale of brick, lime and other miscellaneous sources—classified as Convicts Earnings—the sum of \$74,946.04, and for the same period disbursements were made on vouchers passed upon by the Territorial Auditor in the amount of \$208,163.68, leaving aggregate balances in the several funds on deposit with the territorial treasurer amounting to \$18,589.33.

As appropriations made for the several penitentiary funds for the two years mentioned were paid in full, this balance of \$18,589.33 can only be used for expenses incurred during the recent fiscal year, and is not available to pay for material and supplies purchased prior to December 1st, 1908.

At the commencement of the 56th fiscal year, deficiencies existed in Territorial Penitentiary accounts to the amount of \$17,784.45, and on December 1st, 1907, there were net deficiencies amounting to \$12,120.55. During the past year these deficiencies have increased \$4,536.59 making at this time a total deficiency of \$16,657.14. It does not however necessarily follow that while the outstanding indebtedness has grown that this institution has gone deeper into debt, and this is not the case, for on December 1st, 1908, as shown by inventories, there were supplies and material on hand, which are being used for the present fiscal year, to the amount of \$9,364.98. Had not the supplies and materials which are shown to be on hand by the inventories of December 1st, 1908, and which will be used during the present year, been purchased until actually needed, the deficiency account would have shown a decrease.

The present deficiency of \$16,657.14 should be eliminated by a special deficiency appropriation and the institution put upon an actual cash basis.

During the past two years the superintendent of the penitentiary has been called on to furnish, free of cost, for public buildings, a large number of brick and other material; he has also been required to keep a large number of convicts at work upon the Scenic Highway and to maintain camps at Raton and at the Las Vegas end of the route.

Substantial permanent improvements have also been made at the penitentiary, notably the installation of new machinery in the brick plant, the construction of an electrical dynamo and telephone system, erection and remodeling of buildings; a large reser-

voir has been built outside the walls, and other minor miscellaneous improvements of a permanent character have been made which in the aggregate required, outside of the convict labor, a cash outlay as shown by the superintendent's report, of \$19,639.07.

The superintendent's statistics regarding the convicts are very complete. On January 1st, 1906, there were 259 prisoners in the institution and during the year 152 were received; number discharged during the same period 134; number remaining December 1st, 1907, 277; during the year 1908, 128 were received and 148 discharged leaving in the institution December 1st, 1908, 267 prisoners.

The cost per day for maintaining prisoners per man, for the 58th fiscal year averaged 21.31 cents, and for the 59th fiscal year 26.63 cents. The increased cost is accounted for by the maintenance of a larger proportion of the convicts on the Scenic Route, where increased cost is incurred by reason of transportation, extra guards, and higher cost of living in general.

During the past two years only six prisoners have escaped, and three of these have been recaptured.

The sanitary conditions of the penitentiary are excellent. The report of the physician in charge shows that during the past two years only thirty-nine cases have been treated in the hospital and that but one death has occurred—and that from tuberculosis of the lungs which had reached an incurable stage.

While a large number of public improvements have been made as stated above, it is absolutely necessary, in order to meet the demands of the institution, that an additional cell house be erected, and the warden of the penitentiary believes this can be done for the sum of \$5,000. In this connection convict labor may be used, as well as for other necessary improvements.

Under the present law the penitentiary is managed by a board of commissioners composed of citizens residing in various sections of the territory, who meet in Santa Fe once every three months. This method has not proven satisfactory, and I recommend that this law be repealed and that it be replaced by an act providing that the territorial secretary, two other territorial officials, and two private citizens of the territory appointed in the usual manner, shall constitute the board of penitentiary commissioners; that they shall meet monthly, and shall have charge of the purchase of all supplies, audit and pay all accounts including salaries; that they shall have full and complete charge of the financial affairs of the institution; the administrative affairs alone to be in the hands of the superintendent. The secretary and the other two territorial

officials who may be designated, to serve without compensation and the two private citizens to be allowed a more liberal compensation than is at present allowed the commissioners.

This plan would result in a net saving to the territory of over \$1,000 on salaries of the Board alone, and would give us a more efficient management of the financial affairs of the penitentiary. When a board governing an institution meets only three or four times a year, the members cannot possibly be informed of the needs of the institution and give the necessary time and attention to the duties of the position.

The present superintendent of the penitentiary is an excellent official, with splendid administrative ability, and peculiarly adapted for the performance of the duties of his office in an administrative capacity, and with an available board composed of responsible business men and taxpayers having charge of the finances, I believe that many thousands of dollars could be saved annually in the management of this institution.

On an investigation of the accounts by the Traveling Auditor, he finds that the manufacture of brick at the penitentiary for several years past has not been productive of profit to the institution. It appears, however, that large quantities of brick have been furnished free of charge to various territorial institutions, which is probably the cause of the fact that the plant has been operated at a loss.

As it is very probable that private individuals will soon engage in the manufacture of brick in the city of Santa Fe, I believe that this particular industry at the penitentiary should be discontinued in order that the territory may not compete with her private citizens in any line of business. The equipment of the plant may be sold, and I am in favor of using as much convict labor as possible upon the public highways of the territory. Practically all the states and territories have successfully adopted the plan of employing the convicts in road work. It is a popular measure, whereby the convicts assist in constructing a valuable public improvement, without in any manner coming in competition with other skilled or unskilled labor of the commonwealth, and I believe that this plan would meet with the approval of the people of this territory.

#### ASYLUM FOR THE INSANE.

The New Mexico Asylum for the Insane, at Las Vegas, is in one sense the most important institution in the territory, and should receive conscientious consideration at the hands of the

legislative authorities. It is a home for our afflicted citizens and nothing should be spared towards alleviating their distress and providing for their comfort. Their dire misfortune appeals to all men and women, and I am certain that I voice the sentiments of every citizen in the territory when I urge you to extend liberal aid to this institution. Marked generosity has characterized the actions of our past legislative assemblies in this respect, and I may safely assert that the tax-payer willingly, and even anxiously contributes to this public expense.

The buildings and the grounds of this institution are in excellent condition, and while it appears that these improvements have cost the territory a large amount of money, I believe the management on the whole has been good. If the primal purpose of these legislative appropriations is carried out, namely the housing and proper care of the afflicted, there can be no criticisms directed against expenditures.

There are at present 200 inmates in the asylum, maintained at a cost of 73 cents each per day during the past year.

Unstinted credit should be given the superintendent and the other officials of the asylum for their faithful and efficient services in their very trying positions.

The board of trustees recommend the approval by congress of a bond issue amounting to \$105,000 authorized by the territorial legislature of 1905, but I consider the sum extravagant, and am opposed to the approval of the bonds. While I am in favor of appropriations necessary for the comfort of the invalids, I desire the most rigid economy in the expenditure of money in directions not closely identified with their immediate needs.

#### INSTITUTE FOR THE BLIND.

The New Mexico Institute for the Blind, located at Alamogordo has been very excellently managed, and its buildings are well constructed, commodious and kept in good condition. The superintendent deserves the gratitude of the public for his untiring efforts in behalf of the blind children under his care.

#### ASYLUM FOR THE DEAF AND DUMB.

The New Mexico Asylum for the Deaf and Dumb at Santa Fe, reports an enrollment of 31 pupils on January 1, 1909. The affairs of this institution have been conscientiously and economically managed, and I recommend that it be given a slightly increased appropriation by this assembly. Superintendent Connor

is doing excellent work, and I invite your attention to his report appended hereto.

It has been proposed that the Asylum for the Deaf and Dumb be consolidated with the Institute for the Blind at Alamogordo, but I do not consider this practicable at the present time, as it would necessitate the construction of additional buildings at Alamogordo. Later on, however, it might serve the best interests of the territory to consolidate these two institutions at Alamogordo, converting the buildings at Santa Fe now occupied by the Deaf and Dumb School into a Reform School and the buildings at El Rito now being prepared for a reform school, might be used as an educational institution. The town of El Rito is located in a section of the territory where the equipment for successful educational work is limited.

#### REFORM SCHOOL.

The New Mexico Reform School is located at El Rito, Rio Arriba county. A very excellent building has been constructed, which is now being suitably furnished, and I am informed that the institution will be open for the reception and care of juvenile offenders of the territory in the near future. I am also informed that there are sufficient funds on hand for the maintenance of this institution during the present fiscal year.

#### MINERS' HOSPITAL.

The Miners' Hospital of New Mexico, located at Raton is reported as being well managed. The buildings are substantial and well equipped for the needs of a hospital. The accounts of the institution show a balance on hand of \$3,764.02, and the report of the board of trustees is annexed hereto for your consideration.

#### EDUCATIONAL INSTITUTIONS.

The University of New Mexico is very properly located in the city of Albuquerque, the metropolis of the territory. I take pride in stating that the graduates from this institution are admitted to advanced standing in the leading universities of the United States. The institution is a credit to the territory and I recommend liberal appropriations for its maintenance. I also respectfully call your attention to the report of the board of regents hereto appended.

The New Mexico College of Agriculture and Mechanic Arts is located at Las Cruces in the Mesilla Valley. This institution is largely maintained by federal appropriations, but the territory



provides for its buildings and improvements. The number of students enrolled at present is 321. During the past two years the college has organized and conducted farmers' institutes throughout the territory, effecting branch organizations in practically every county. This work has been of great value to our new settlers in giving them information and expert advice relative to agricultural products, localities and soil. This institution is undoubtedly fitting itself into one of the needs of the territory, and I commend it to your favorable consideration.

The New Mexico Military Institute located at Roswell, is an institution that enjoys a very high reputation at home and abroad. It is now recognized by the United States War Department as one of the leading military schools in the United States, and is designated in Class "A". It receives its military equipment from U. S. arsenals and an army officer is detailed as military instructor. Many of its graduates receive commissions in the regular army, Philippine scouts, and constabulary. There are now enrolled at the institute 146 cadets. This school reflects great credit upon the territory, and deserves liberal appropriation for its maintenance.

The New Mexico Normal University at Las Vegas, and the New Mexico Normal School at Silver City, deserve liberal support and encouragement from the people of this territory. They are engaged in a line of educational work that finds its way into the homes of our country population; their faculties are of a high standard and their work is to train young men and women from our rural districts to the noble calling of the school teacher. The moral and intellectual value of this work on our future citizenship can hardly be over-estimated. For these reasons, gentlemen, I commend these very worthy institutions to your favorable consideration and generosity.

The New Mexico School of Mines located at Socorro, is reported to be in good condition, and the enrollment this year is greater than during any previous period in its history. The report of the school is annexed hereto for your consideration.

#### PUBLIC LANDS.

The office of the Commissioner of Public Lands has been from its very incipency an important department in this territory. Its business has increased to an astounding magnitude considering the comparatively short period of its existence. I have the honor to call your special attention to the report of the Commissioner

of Public Lands hereto appended, and to ask that you give it careful consideration.

The following is a summary of the receipts and disbursements of this office during the period beginning March 23, 1907, and ending December 31, 1908.

	Received.
From Commissioner Keen . . . . .	\$ 26,702.85
Office receipts, 1907 . . . . .	67,717.14
Office receipts, 1908 . . . . .	112,332.38

Total income for period . . . . .	\$206,752.37
Transferred Treasurer, 1907. \$49,074.96	
Transferred Treasurer, 1908. 117,337.80	166,412.76
Office expenses, 1907. . . . . 5,724.27	
Office expenses, 1908 . . . . . 10,820.33	16,544.60
Withdrawals both years . . . . .	780.60 183,737.96

Balance on hand December 31, 1908. . . . . \$23,014.41

Of the income in 1907, the amount of \$10,912.08 represents receipts from sale of lands made during prior administrations, the money being received however, by the present commissioner.

The percentage of expenses, as compared with total office receipts during period, is slightly more than 9 per cent.

Following is a summary of the total amounts transferred by the office of commissioner to the territorial treasurer since the institution of the office in 1900, a period of 9 years.

From leases . . . . .	\$371,754.31
From sale of land . . . . .	224,788.89
5 per cent proc. U. S. land sales . . . . .	45,655.79

Total transfers, 9 years . . . . . \$642,198.99

Of these transfers, the common schools received. . . . . \$284,659.37

The various Territorial Institutions . . . . . 355,399.84

Tax levy to defray expenses in U. S. Land offices. . . . . 2,139.78

Total . . . . . \$642,198.99

The following illustrates the growth of income by leasing:

Received in 1900. . . . .	\$ 13,575.20
Received in 1901 . . . . .	11,403.05
Received in 1902 . . . . .	31,010.64
Received in 1903 . . . . .	35,681.92
Received in 1904 . . . . .	32,455.25
Received in 1905 . . . . .	60,685.55

Received in 1906 . . . . .	50,653.15
Received in 1907 . . . . .	34,265.43
Received in 1908 . . . . .	102,024.12

## ACREAGE REPORTS.

The following gives the status on December 31, 1908, relative to lands selected by the territory from grants made by Congress, and lands remaining for selection.

	Common School Acres.	University Acres.	Other Institutions Acres.
Granted to New Mexico by Congress . . . . .	3,427,200.00	111,080.00	1,232,002.60
Excess selections allowed . . . . .			.18
Total granted Territory . . . . .	3,427,200.00	111,080.00	1,232,002.78
Selected by Terr. and from lands not included in prior grants, etc. . . . .	2,492,519.96	110,271.68	1,229,117.35
Balance remaining . . . . .	934,680.04	808.32	2,885.43
Indemnity lieu selections by Terr'y . . . . .	201,398.80		
Total subject to selection on Dec. 31, 1908 . . . . .	733,281.24	808.32	2,885.43

The amount of 733,281.24 acres remaining for selection, common school, are indemnity lieu selections in place of sections 16 and 36 included within prior grants, reservations, pueblos, etc.

The following gives the status of lands sold and leased, and subject to sale or lease on December 31, 1908.

	Common School Acres.	University. Acres.	Other Institutions Acres.
Selected original grant . . . . .	2,492,519.96	110,271.68	1,229,117.35
Indemnity lieu lands . . . . .	201,398.80		
Total selected . . . . .	2,693,298.76	110,271.68	1,229,117.35
Less lands sold . . . . .			71,080.95
Less lands leased . . . . .	1,067,298.46	42,209.18	675,618.32
Less lands in use . . . . .			2.60
Totals disposed of . . . . .	1,067,298.46	42,209.18	746,701.87
Difference between total selected and total dis- posed of, is . . . . .	1,626,620.30	68,062.50	482,415.48

## RECAPITULATION.

Vacant Common School lands, subject to lease only..	1,626,620.30
Vacant University land, subject to lease only.....	68,062.50
Vacant Institutional land, subject to lease or sale....	482,415.48
Total vacant lands Dec. 31, 1908.....	2,177,098.28

In addition to above tables, 1,622.86 acres of University Saline Lands have been selected and all are leased at this time.

The number of leases now in force is:

Common School .....	1673
Institutional .....	271

Total .....	1944
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I desire to recommend that all expenses of the office of commissioner of public lands be paid through the office of the territorial auditor by warrants, in the same manner as other accounts are paid through that office.

I also recommend that a certain percentage of the revenue of the office of commissioner of public lands, be set apart for the purpose of meeting the expenses of his office, and that at the end of the fiscal year any unused portion of such sums be credited by the treasurer to the funds from which the income was derived, and I recommend that the commissioner be allowed a reasonable amount of latitude in the employment of such special agents as he may from time to time need. It is impracticable in the present stage of this department's growth to make any estimate as to this item of expense.

The office has been ably managed by the present commissioner, Mr. R. P. Ervien.

When the lieu lands recently donated to the territory can be selected and leased, they will produce a very satisfactory income for the benefit of our public school fund.

## ELECTION LAWS.

While there were no frauds committed and no charges of frauds made at the last election in the Territory of New Mexico; while both parties were given representation on the election boards by the various boards of county commissioners, and while I am satisfied that the will of the people was properly expressed and the votes honestly counted, still I feel that our election law should be so strengthened as to absolutely remove any chance for fraud or perversion of the will of the people.

The present law does not require the various boards of county

commissioners to give both parties representation on the election boards. I believe that the law should be so amended as to require the county commissioners to appoint judges in each precinct representing both political parties, and that the appointments should be made upon recommendation by the county chairman of the two dominant parties; that is to say, that in a country where the Republican party may be represented by the majority of the county commissioners, the Republican county chairman should name two election judges, and the democratic county chairman should name one election judge in each precinct, and vice versa, when the democratic party may be the dominant party; that the recommendations of the county chairmen should be made in writing, should be filed with the clerk of the board prior to the time fixed for making the appointments, and that it should be mandatory upon the board of commissioners to appoint the men so recommended.

I believe also that malfeasance in office on the part of an election official should be punished by imprisonment in the territorial penitentiary and that a like punishment should be meted out to any person who seeks by intimidation, reward, or the use of money to corrupt the ballot. There is nothing so vital to the continuance of a republican form of government as an honest election and a fair count, and the legislature should throw every safeguard around the ballot.

I am not sure that the people of the territory are yet prepared for what is known as the Australian ballot law. In many of the older states, in fact in all of them, where this system of voting is in use, many thousands of ballots in each state are not counted by reason of irregularity in the preparation of the ballot, and while the great majority of our voters would probably be able to comply with the law in the preparation of their ballots, yet I feel that we should not by law practically disfranchise a portion of our voting population. In a few years our people, in my judgment, will be ready for this system of voting.

I think also that you should make it a penitentiary offense for anyone to exclude or attempt to exclude any resident of a county from a voting place on election day; that is to say, any citizen should have a right on election day to attend a voting place in any precinct where an election is being held, and to work for the party or candidates he desires, so long, of course, as he conducts himself properly and does not approach nearer the polls than the distance limited by law.

## REGULATION OF THE LIQUOR TRAFFIC.

The liquor question will undoubtedly be placed before you by representatives of our best citizens for your careful consideration and effective legislation. A large number of people favor absolute prohibition, while others are opposed to any further legislation on the subject at present.

I recommend, however, that you pass a local option law, which will allow each community in the territory to decide for itself whether or not liquor shall be sold within its precincts. I consider this plan in harmony with the fundamental principle of American government.

I further recommend, in event of the passage of a local option law, that liquor licenses be substantially raised, and I suggest the creation of a territorial board whose duty it shall be to issue these licenses, and have complete jurisdiction over the liquor traffic of the territory. This board should be non-partisan in character. Its expense would amount to a sum much less than is now paid to the various county officers for the collection of liquor licenses, and I believe that in thus centralizing the authority a better enforcement of the laws may be attained.

## ANTI-GAMBLING LAW.

The law prohibiting gambling in New Mexico became effective January 1, 1908. It has been rigorously enforced and I believe that the territory of New Mexico is today freer from the evils of gambling than any other commonwealth in the Union. The Thirty-seventh legislative assembly deserves the gratitude of every man, woman and child in New Mexico, for the passage of this act, which has not only proved of material benefit in many a home, and of value in the business community, but has raised our moral standing before the world.

## GOOD ROADS LEGISLATION.

One of the essential features in the development of a new country is a means of easy access to every part thereof. While the development of the territory has been phenomenal during the past few years, it has been largely due to its natural resources. The needs and benefits to be derived from good roads are so well known that I will not mention them here. The existing needs of the territory are not so much for legislation providing for short cross-roads, if our present laws are carried out, as for more good roads to connect up the various cities and villages.

We are fortunate in having conditions most favorable to cheap construction of roads. We have good material for road building and our climatic conditions are most favorable to cheap after maintenance.

The cost of construction of good roads depends largely on location and the systematizing of the construction work to meet natural conditions, thereby necessitating the services of a competent engineer in the locating and construction of such work.

In looking over the statutes of the several states we are unable to find laws suited to our conditions and needs; therefore, I am going to suggest rather a new departure in good roads legislation and recommend the enactment of laws to carry out the following ideas:

Few of the counties are in such financial condition as to enable them to prosecute the work of constructing necessary good roads and bridges without assistance of some kind from the territory and I therefore recommend that your body consider the enactment of a law providing for a commission to be composed, for economy, of the Governor, the land commissioner and the territorial engineer. who shall serve without additional salary.

The creation of a good roads fund by an appropriation of sufficient amount to carry on such work.

That it shall be the duty of said commission to investigate the need for various roads either at their own initiative, or at the request of the board of county commissioners of any county; to determine what roads should be constructed and to co-operate with the various boards of county commissioners in their construction.

That convict labor be used when available and advisable and that such labor when deemed advisable shall become available upon request of the Governor.

That it shall be the duty of the territorial engineer to determine the most feasible route, in connection with the location of suitable material, etc., for road construction; to make maps, plans and specifications, profiles of location, etc., and to report the same together with his suggestions as to the proper methods for handling such construction, to the commission.

That the construction of all territorial roads shall be under the supervision of the territorial engineer.

That all bridges built by the territory and also county bridges, when built by contract, shall also be under the supervision of the territorial engineer.

That all money spent by said commission or engineer shall be properly vouchered for by the commission and the engineer.

## CONSTRUCTION OF SCENIC HIGHWAY THROUGH THE PECOS NATIONAL FOREST BY THE UNITED STATES GOVERNMENT.

For some time the territory has been engaged in constructing a Scenic Highway, known as "*El Camino Real*," the ultimate idea being to connect various cities in Wyoming, Colorado and New Mexico with the city of El Paso, Texas.

The territory has constructed the most difficult parts of this road, between Santa Fe and the Colorado state line, except for that portion which lies within the borders of the Pecos National Forest. The government, through the Forestry Bureau some time ago made surveys and estimates of the cost of construction of this portion of the road through the Pecos National forest, but for some reason has not been able to build same.

In order to impress upon Congress and the United States government the great necessity for this road and the benefits to be derived from its construction I would suggest that your honorable body pass a joint memorial setting forth the existing conditions and forward copies of same to the proper officials in Washington.

## REVISION OF THE LAWS.

Under the provisions of chapter 95 of the acts of the 37th legislative assembly, a commission was named to revise the laws of the territory, as set forth in detail in said act. Shortly after the passage of the act all but one of the members of the commission named in the act resigned and I appointed other members to take their places. I am informed that this commission, assisted by Mr. J. E. Cobbey, an expert revisionist, has performed its work and will be ready to submit its report to you, which report will be a matter for your consideration.

In view of the very bright prospect of early statehood it becomes a question for your consideration whether it is not wise that the revision of the laws be held over pending the formation of the new state and thereafter publish the laws after the same have been gone over again and prepared to meet the new conditions arising under state government.

I am informed that the work so far done by this commission can be made to conform to conditions under state government with very few changes which would require very little expense; but that the translation and publication of the present laws at this time would cost a great deal of money and that if the revision is held over until the new state is formed all corrections in the new re-



vision and the translation and publication thereof could be made without much additional expense.

If in your judgment it should be deemed best that the revision be completed immediately it will then be for you to prepare and pass a proper act putting the revision into effect and it will also be necessary that you arrange to have the work of inserting the acts of your assembly in the revision, as well as the printing, proof-reading and indexing of the work put under the supervision of some competent person or persons.

### ABOLITION OF THE DEATH PENALTY.

I recommend that capital punishment be abolished from the laws of this territory. It has been my personal observation that the poor unfortunate wretch, who has neither friends nor influence, is about the only one called upon to meet the grim demand of this law. The deliberate murderer has no fear of death; indeed his execution is often made the occasion of bravado on his part. The legal extinction of a human life does not restore the life of the victim of murder, and the demand of a life for a life in my opinion involves an element of revenge repugnant to civilization; else why does a community when a legal execution takes place within its precincts hang its head in shame and confusion and make every effort to suppress news of the event from publication? Neither has it been shown in the experience of any commonwealth that the enforcement of the death penalty has tended to reduce crime. I feel convinced, gentlemen, that effective legislation can be enacted whereby society may be protected from the dangerous criminal by means other than taking his life, and I trust you will give this recommendation your careful attention.

### INDETERMINATE SENTENCE AND PAROLE LAW.

Many of the states have enacted laws known as Indeterminate Sentence and Parole Laws, and the fact that the same laws are about to be enacted in other states indicates that such laws are beneficial, and I think their enactment would be of advantage to this territory. I feel that a parole might be granted with propriety, to give a prisoner another chance to reform and support a needy family, possibly when a full pardon should not be granted. The supervision and report required by a parole has a restraining effect and for that reason is beneficial.

The indeterminate sentence simply gives the courts the power to fix a minimum and maximum sentence instead of a flat sentence, and when the prisoner has served the minimum term of his

sentence if the circumstances and his conduct warrant such action he may be paroled under reasonable conditions of good behavior and report, and in case of a violation of his parole by again resorting to crime he may be returned to the prison without the necessity or expense of another trial.

I request your earnest consideration of this matter and recommend the enactment of such a law.

Along this same line is another matter that, in my judgment, calls for additional legislation. As the law now stands it is mandatory upon the courts, in addition to the penitentiary sentence to assess a fine, in some cases, as high as five hundred dollars. The result is that when the prison sentence has been served, the prisoner, though absolutely penniless, will be held for this fine, in some cases, as long as one and one-half years unless the governor issues a pardon, which I may say is often done and in which the judge who tried the case concurs. In such a case under the laws of the United States, thirty days after the prison sentence has expired, the prisoner, if unable to pay fine and costs, may file a pauper affidavit and be legally released. As our law now stands the governor is called upon to grant many more pardons than he should be, to release prisoners held in this way. Therefore, I recommend the enactment of such a law as will enable an indigent prisoner to file a pauper affidavit within a reasonable time after the prison sentence has expired, and thus secure release from the payment of a fine and costs which he is unable to pay, without the necessity of a pardon by the Governor.

#### CAREY ACT.

The development of irrigation in our Territory is becoming more important as we appreciate its extent and possibilities and with the idea of assisting such development, I suggest that your honorable body pass a joint memorial asking Congress to extend the provisions of the Carey Act to our territory, at its present session. The benefits derived from this Act have been of much value to the states wherein its provisions have been made applicable. The Carey Act, in brief, gives to the states a million acres of land,-- this land is segregated under irrigation projects and sold at not to exceed fifty cents per acre, plus the cost of the water right, to settlers in tracts not to exceed one hundred and sixty acres to an individual. Irrigation works are built under the supervision of the state or territory, by private capital, the cost of the construction of such projects being paid for through the sale of the

land with the water right. Some of the advantages of the Carey Act over the Reclamation Act are as follows:

The installment period under the Reclamation Act is restricted to ten years,—while under the Carey Act, the period may be any time that the state may decide upon. Again, under the Reclamation Act, the settler has to live upon the land the full five years before he can get title to same—while under the Carey Act the residence period for the settler is left to the State to decide, which is usually a much shorter period,—thus enabling the settler to give his land as security for money to build improvements upon his property at a much earlier date.

### IRRIGATION.

The irrigation laws of the territory are, as a whole, very satisfactory, and I know of no change to recommend.

The territorial engineer, Hon. V. L. Sullivan, has made a very excellent and complete report of his department, which I commend to your careful attention. Mr. Sullivan has co-operated with the officials of the reclamation service, and in addition to his work as irrigation engineer he has at my suggestion furnished surveys for certain public highways in the territory.

### COAL OIL INSPECTOR.

This office has been well administered and the law enforced, but I consider the inspection fees collected by the inspector and his deputies, and retained by them as salary, entirely too great and out of proportion to the value of the services rendered. I recommend a reduction of these fees, or that the inspector be allowed a fixed salary, and that he be given a deputy for each judicial district, the deputies to receive about one-third of the fees, and that all receipts above the amount allowed the inspector and deputies as compensation, be turned into the territorial treasury for the benefit of the public school fund or the *Camino Real* fund. At least \$5,000 per annum could thus be saved to the taxpayer and used for beneficial purposes.

### SUPERINTENDENT OF INSURANCE.

This office was created March 9, 1905, and since then its receipts have amounted to \$115,361.83, and the actual expense of maintaining the office since its creation amounts to \$15,804.92.

The receipts for 1907 were \$26,889.06; for 1908, \$32,166.17, and the expenses of the office for these two years \$6,922.30. It is

estimated that the receipts for the ensuing two years will amount to over \$35,000.

The business of this office has increased so rapidly that it is absolutely necessary that the Superintendent be given an assistant. The report of the superintendent is very complete and comprehensive, and I should be glad to see his recommendations enacted into law.

#### TERRITORIAL CONSERVATION COMMISSION.

In May, 1908, the Governors of the various states and territories in the Union met on invitation from President Roosevelt in Washington for the purpose of discussing methods of conserving the nation's resources, and acting upon a suggestion made by the Governors the President then appointed a National Conservation Commission, to investigate the condition of the nation's natural wealth. At this meeting it was recommended that the Governors appoint local conservation commissions to co-operate with the federal commission in working out and developing plans whereby the destruction, waste and rapid depletion of our natural resources might be prevented and remedied, notably as relates to streams, forests, lands and minerals. Acting upon this recommendation I appointed in August, 1908, three citizens of the territory as a local conservation commission, to-wit: Hon. Solomon Luna, of Los Lunas, Hon. A. A. Jones and Hon. H. W. Kelly of Las Vegas, who signified their willingness to serve without compensation. These gentlemen attended a meeting of the National Conservation Commission at Washington this winter, and rendered valuable service to the territory.

I now recommend that this assembly create a Territorial Conservation Commission, to consist of three members, who shall serve without compensation, but who shall be provided with a secretary and necessary expenses; the duties of the commission shall be to make an inventory of the natural resources of the territory, secure authentic information as to any waste or destruction that may be taking place within its borders, advise with the federal commission as to remedial legislation, prepare suggestions to be placed before the territorial legislature with a view to securing the passage of timely and valuable laws for safeguarding not only the present but the future welfare of the territory. This commission would receive the benefit of the national investigations which would be of great value to the territory.

## ADVERTISING AND IMMIGRATION.

The benefits to be derived from thorough advertising and exploitation in newspapers and magazines of large circulation and by the distribution of properly prepared literature, are now generally recognized by all of the western states, most of which have immigration departments whose duty it is to secure such advertising and to induce immigration and encourage development.

There is no section of the West so greatly in need of intelligent advertising as is New Mexico. We have the land and we have the resources and it is our duty to give them the fullest publicity. It is especially important that we should do this just now when the tide of immigration is setting toward the West and Southwest more strongly than ever before. New Mexico should leave nothing undone to secure its full share of this immigration. Moreover, as we are on the eve of statehood, proper advertising and publicity are vitally necessary.

The Bureau of Immigration has been well conducted in the past and has been of distinct benefit to the territory. I have no fault to find with the conduct of the work by the present Bureau. But the Bureau system is cumbersome and is not as effective as this department should be. The members of the Bureau are widely scattered over the territory and the expense it has been necessary to incur in bringing them together for meetings has been considerable. This expense, applied upon the salary of the secretary would enable the territory to secure the services of a competent man who could give his entire time to the work. The salary paid the secretary heretofore has not been sufficient to warrant a man competent to conduct the work in giving it all of his time.

I would therefore recommend that the Bureau of Immigration be abolished and that there be created in its place the office of Commissioner of Immigration, with sufficient salary to enable the territory to employ a competent man who can give his entire time to the work; and that the office be supplied with an appropriation large enough to enable the commissioner to visit and acquaint himself with all parts of the territory and their especial needs in advertising; and to secure the publication of articles in newspapers and magazines of large circulation, likely to encourage interest in the territory and to promote immigration and development; and at the same time to prepare and circulate descriptive and statistical literature. Such a department, energetically conducted by a competent commissioner would be of greatest benefit during the next few years when the importance of proper and widespread publicity cannot be overestimated.

## TERRITORIAL MILITIA.

The National Guard of New Mexico is composed of five companies of infantry, one troop of cavalry and one detachment of the signal corps. Since the legislative assembly of 1907 armories have been erected or are in the course of construction in the cities of Santa Fe, Las Vegas, Roswell, Albuquerque, Las Cruces and Silver City, and the necessity of renting armories has thus been dispensed with. The territory may well be proud of these homes for its militia, where arms and equipment may be properly cared for and where drills and instruction may be given the members.

I trust we shall be able to increase the infantry at least one company, for while we have had no trouble in New Mexico, and do not anticipate any to necessitate a call for the militia, we should have an efficient body of militiamen, ready competently to respond in case of emergency, and especially in event of a national strife should New Mexico maintain its past very creditable record, keep abreast with the other commonwealths of the union in its militia service.

Officers from the War Department detailed to inspect our militia bestow very high compliments upon the organization and I believe its efficiency has increased in a marked degree.

I recommend that a clerk be provided for in the office of the adjutant general, for in the past he has been compelled personally to attend to the important details of the office which has consumed practically all of his time, and it is important that he should give much of his time to the inspection of the different companies throughout the territory.

## MOUNTED POLICE.

The service of the Mounted Police during the past two years has been very satisfactory. The force at present consists of one captain, one lieutenant, one sergeant and eight privates. During the past two years they have made 298 arrests, have recovered 1,795 head of stock for 105 different owners, and have recovered a large amount of other valuable property and returned it to owners. However, this is not the most important work done by this police force. Their presence on certain occasions in various points of the territory has prevented serious trouble and perhaps even loss of life. Only recently the captain of the force was ordered into eastern New Mexico where he successfully averted trouble between the new settlers and the cattle men.

I do not consider it advisable, however, to increase the force, but

an appropriation for traveling expenses should be allowed, to be used by the members when called out on official duty. The present appropriation I consider sufficient for salaries, but no provision exists for the payment of traveling expenses. I have had occasion several times to send members of the force into different points of the territory, long distances from their headquarters, and in many instances they have used their own personal funds to defray their expenses, which is of course wrong and should be remedied.

I am in favor of a small but very efficient force, and by paying good salaries such a force can be secured.

#### NEW COUNTIES.

I recommend the creation of new counties where it can be shown that there is sufficient population and wealth to maintain them successfully.

In drafting the acts for the creation of new counties great care should be taken to cover every contingency likely to arise in connection therewith; for in the past such acts, at times, have been drawn very loosely.

#### SALARIES OF COUNTY OFFICERS.

The legislative assembly of 1907 passed an act reducing the fees of assessors and collectors, and providing that the compensation of these officials be fixed by a scale graded from two to four per cent, in accordance with the class of the county.

This I believe to be a very just law. It is satisfactory to the people and I trust its operation may be continued.

#### CAPITOL ANNEX AND GOVERNOR'S RESIDENCE.

The Thirty-seventh legislative assembly passed an act providing for the construction of an annex to the present Capitol building, also for the construction of a residence for the Governor of the territory. Three citizens were appointed to carry out the provisions of the act, to-wit: Hon. M. A. Otero of Santa Fe, Hon. W. S. Hopewell of Albuquerque, and Major R. J. Palen of Santa Fe. The construction of these buildings is now in progress, and the Governor's residence a very handsome structure, is nearing completion.

I take this occasion to officially commend the services of the Capitol Improvement Board, and it affords me pleasure to invite the members of this assembly to personally inspect the buildings. The board may well be congratulated upon securing the services of that very able architect, Mr. I. H. Rapp, a man who stands at the head

of his profession in the West and whose identification with the successful construction of our various territorial institutions, notably the Capitol building of New Mexico, gives our citizens confidence that the task now in his hands will be economically and conscientiously carried to a successful completion.

I invite your special attention to the report of the Capitol Improvement Board hereto appended, and the recommendations contained therein meet with my unqualified approval.

#### BOARD OF EQUALIZATION.

I desire to call your attention to the recommendations made by the Board of Equalization, especially the one asking for an appropriation for the payment of the expenses of the board when making investigations. The investigations of this board have resulted in materially advancing the matter of securing fair assessed valuations, and I think it would be money well expended. I also believe that the recommendations of this board relative to laws governing appeals, namely that they be simplified and made clearer, are good and that authority should be conferred upon the proper territorial and county officials to take appeals to the territorial board, with a view to securing more uniform and equal assessments.

#### CATTLE AND SHEEP SANITARY BOARDS.

These boards are of great value and importance to the stockraisers of the territory, who represent our leading industry, and I invite your special attention to their reports. The accounts of the sheep sanitary board show a balance on hand of \$3,449.80. The drought during the past year has caused some loss to the sheep growers, and a depreciation in prices, but conditions are improving. An effort is being made to induce congress to reduce the tariff on wool, and in view of the fact that this is one of the most important industries in the territory, I recommend that this assembly petition congress not to change this tariff, for by doing so they will injure the interests of this territory. The accounts of the cattle sanitary board show a balance on hand of \$5,488. The revenue for the maintenance of these boards is raised by a direct levy on the sheep and cattle interests of the territory, and I trust that the recommendations of these boards will receive your careful attention.

#### FOREST RESERVE FUND.

The congressional act making appropriations for the Department of Agriculture, approved June 30, 1906, contains the following provisions:



"That ten per centum of all money received from each forest reserve during any fiscal year, including the year ending June 30, 1906, shall be paid at the end thereof by the Secretary of the Treasury to the State or Territory in which said reserve is situated, to be expended as the State or Territorial Legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the forest reserve is situated: Provided, That when any forest reserve is in more than one State or Territory or county the distributive share to each from the proceeds of said reserve shall be proportioned to its area therein; And provided further, That there shall not be paid to any State or Territory for any county an amount equal to more than forty per centum of the total income of such county from all other sources."

A recent Act of Congress has amended this law and allows twenty-five per cent instead of ten, for the purposes mentioned. From a communication received from the chief forester at Washington it appears that about \$25,000 has accrued to the territory in this fund, and of this amount we have received \$14,286.96. A statement specifying the reserves that produced this fund, and naming the counties wherein they are situated, as well as the amounts credited to each reserve will be furnished for your information, and I respectfully recommend that the assembly take action in this matter in accordance with the federal act above given.

#### SCHOOL AND MUSEUM OF AMERICAN ARCHAEOLOGY.

For many years the Archaeological Institute of America, incorporated under the laws of Congress, with headquarters in Washington, D. C., has been successfully maintainng well endowed schools of classical archaeology at Rome, Italy, Athens, Greece, and a School of Oriental Archaeology at Jerusalem, Palestine. This institute is now about to found a School of American Archaeology in America, which will be the only institution of its kind on the continent. Because of the historic interest of Santa Fe and its famous old Palace and because of the unrivalled opportunities for archaeological investigation near Santa Fe and in all parts of New Mexico, the locating committee and the institute itself have determined upon Santa Fe as the most suitable place for the proposed school; although there has been active competition from much larger and wealthier cities in other commonwealths. The legislature of 1907 voted unanimously to convey the old Palace and grounds and two thousand dollars, to secure the location of this school in Santa Fe; but on account of the near approach of

statehood it was not deemed advisable to part with the title to the property. The offer to locate the school, with its accompanying museum at Santa Fe, is upon certain conditions stated in resolutions adopted by the locating committee and the institute which, together with an explanatory communication from the Archaeological Society of New Mexico, I attach as an exhibit to this message for your information. In my opinion, the school and museum would be of great benefit to the territory if located here and I deem the terms upon which the location is offered as reasonable, since all the money sought to be appropriated is to be expended upon our own property and within our own territory. I therefore recommend this matter to your favorable consideration.

#### RAILROAD COMMISSION.

I recommend the creation of a railroad commission, which I believe would be of great benefit to the taxpayers and business men of the territory. This commission should consist of three members, one identified with the mercantile, another with the industrial and a third with the livestock and farming interests of the territory. No more than two members of this commission should be of the same political party, and if practicable the members should be selected from different sections of the territory. The members should receive a fair compensation for the time in which they are actually engaged in performing the duties of their office, for instance ten dollars a day each, and expenses. This commission should be empowered to employ a competent attorney, provided territorial officials are not available. The main duty of this commission should be the investigation of freight rates in the territory as compared with those in other states and territories, also the consideration of the question of discrimination between localities.

#### GAME LAWS.

While conditions in respect to game and fish have improved somewhat in the territory, I believe a law should be enacted providing for a license system. Such a law is in operation in practically every state in the union. It is estimated that this method would result in an income of about \$5,000 which would pay the expenses for a proper administration of the office and insure effective protection of our game interests. I would suggest that a resident pay an annual license of one dollar for big game and bird, and that nonresidents pay a big game license of ten dollars annually, and five dollars for bird license. I do not consider it advisable at

the present time to license either residents or nonresidents for the fishing privilege.

This license system would relieve the general taxpayer from the burden of maintaining a fish and game department.

#### MEDICAL LAWS.

The territorial board of health recommends several changes in the medical laws of the territory, of which I approve. Representatives of the board will appear before you with these recommendations, and I trust you will give them favorable consideration.

#### UNIFORM DIVORCE LAW.

I recommend the enactment of a uniform divorce law for this territory, along the lines advocated by the National Congress on Divorce, and attached hereto you will find a copy of the uniform law proposed by this organization, for your consideration.

#### HISTORICAL SOCIETY.

The Historical Society is carrying on its work of preserving the antiquities of New Mexico with increasing success. It is difficult to over-estimate the importance of securing historic material while it is still obtainable, and preserving it for the future. The additional accommodations in the Palace obtained two years ago have given an opportunity for the proper arrangement of exhibits, and for the establishment of a separate library room, with a convenient place for the accommodation of those who come to consult it. The library is now the best in the country on New Mexico topics.

The report of the Society will be found to contain much of interest. The historical rooms are the places first visited by almost all tourists, and the register shows that over 10,000 visits were made to them during the past year.

A continuance of the legislative assistance heretofore granted to the Society is earnestly recommended.

#### EXTRA EMPLOYES.

The Congress of the United States has authorized the territorial legislature to expend not to exceed \$15,000 for contingent expenses and in the payment of extra employees.

I earnestly recommend that you employ only those found absolutely necessary. The people of the territory demand of their servants the most rigid economy. No objection, of course, would be made to the employment of such extra employees as are absolutely

necessary to the prompt and efficient transaction of the business of the legislature.

### INVESTIGATING COMMITTEE.

I earnestly recommend that the legislative assembly either appoint, or authorize the appointment of a committee of two or more competent men to make a thorough examination of all our territorial educational, penal and charitable institutions. This committee could report to the legislature within thirty days after your organization. The executive and legislative departments and the public generally have a right to know how their public affairs are being administered; and as it is impossible for a committee of the legislature to give sufficient time to this matter, I suggest the authorization of the above mentioned committee; their expenses to be paid by the territory.

GEORGE CURRY,  
Governor.

Upon motion of Mr. Baca of Santa Fe, duly seconded, a vote of thanks was extended to Governor George Curry, and a committee was appointed to escort the Governor to his office, which consisted of Mr. Baca of Santa Fe, Mr. Upton of Grant and Mr. Navarro of Mora.

Upon motion of Mr. Catron the joint session arose and the members returned to their respective chambers.

Upon motion of Mr. Mirabal, duly seconded, the House adjourned until tomorrow at 10:00 o'clock a. m.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## SECOND DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, January 19, 1909.  
Tuesday 10:00 o'clock.

House met pursuant to adjournment with the Speaker in the chair.

The roll was called and a quorum being present the House proceeded to business.

Prayer by the Chaplain.

The journal of the first day was read and on motion of Mr. Baca, the same was approved as read.

On motion of Mr. Baca, duly seconded and carried, the following United States employees were directed by the Speaker to sign the roll in the office of the Territorial Secretary and to take the oath of office:

Dr. E. P. Brown, Enrolling and Engrossing Clerk.

E. D. Salazar, Messenger.

Samuel Rains, Watchman.

Mr. Baca moved that the House take a recess until three o'clock this afternoon, which motion prevailed.

#### AFTERNOON SESSION.

The House met pursuant to recess with the Speaker in the chair.

All members being present with the exception of Messrs. Tipton and Stackhouse, excused, the House proceeded to business.

The following message from the Council was announced:

“Mr. Speaker:

I have been instructed by the Honorable Legislative Council to inform the Honorable House of Representatives that the Council has passed Council Joint Memorial No. 1, relative to the admission of New Mexico as a state; also that the Council has passed Council Joint Resolution No. 2, with reference to the transmission of said Memorial to both Houses of the United States Congress; and respectfully asks the immediate concurrence of this Honorable Body therein.”

Message received.

Mr. Baca moved that the rules be suspended and that Council Joint Memorial No. 1 be taken up for consideration, which motion prevailed.

On motion of Mr. Walters, duly seconded and carried, Council Joint Memorial No. 1 was considered read a first and second time by title, and was read a third time in full preparatory to its passage.

Mr. Walters moved that Council Joint Memorial No. 1 do now pass, which motion prevailed, and the Speaker declared the said Memorial to have passed the House.

Mr. Baca moved that the rules be further suspended and that Council Joint Resolution No. 2 be taken up for consideration, which motion prevailed.

On motion of Mr. Baca, duly seconded and carried, Council Joint Resolution No. 2 was considered read a first and second time by title, and was read a third time in full in English preparatory to its passage.

Mr. Valdez moved that the reading of the Council Joint Resolution No. 2, in Spanish, be dispensed with, which motion prevailed.

Mr. Walters moved that the Council Joint Resolution No. 2 do now pass, which motion prevailed, and the Speaker declared the said Joint Resolution to have passed the House.

Upon motion of Mr. Roberts, duly seconded and carried, the rules of the Thirty-seventh Legislative Assembly were adopted until the Committee on Rules of this Legislative Assembly reports to this body.

Mr. Baca moved that the House do now adjourn until tomorrow morning at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## THIRD DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, January 20th, 1909.

Wednesday, 10:00 o'clock.

House met pursuant to adjournment, with the Speaker in the chair.

A quorum being present the House proceeded to business.

Prayer by the Chaplain.

The journal of the second day was read, and on motion of Mr. Baca, was approved as read.

Mr. Baca, upon being recognized by the Chair, stated that it had come to his knowledge that Very Reverend Jean Baptiste Pitaval had been selected as Archbishop of this diocese, and moved that the Governor of New Mexico be invited to accompany this Honorable Body to the Archiepiscopal residence to congratulate Bishop Pitaval upon his exaltation, which motion prevailed.

Mr. Baca then moved that the Speaker appoint a committee of

three to extend said invitation to the Governor and to select a time for the offering of such congratulations, which motion prevailed.

Thereupon the Speaker named Messrs. Baca, Blattman and Chavez, (Bernalillo), as said committee.

Mr. Baca moved that the House do now adjourn until tomorrow afternoon at two o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## FOURTH DAY.

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### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, January 21, 1909.  
Thursday, 2:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.

Prayer by the Chaplain.

The following message from the Council was announced:

"Mr. Speaker:

The Honorable Council instructs me to inform the House that it has duly passed Council Joint Resolution No. 3, providing for the printing of the Governor's message in English and Spanish; also Joint Resolution No. 4, providing for the supplying of the members of the Council and House with copies of the Laws of 1897, in Spanish and English; also Council Joint Resolution No. 5, providing for the supplying of members of the Council and House with the Laws of 1899, 1901, 1903, 1905 and 1907; also Council Joint Memorial No. 2, to the Congress of the United States requesting the passage of House Bill No. 15442; also Council Joint Memorial No. 3, with reference to the Carey Act."

The Speaker announced that he had signed the following:

Council Joint Resolution No. 1, relative to statehood for New Mexico and Council Joint Resolution No. 2, providing for the printing of the Governor's message.

The journal of the third day was read in English, and on mo-

tion of Mr. Sanchez, the reading of the journal in Spanish was dispensed with, and the same was approved as read.

The Chair announced the appointment of the following Standing Committees:

### STANDING COMMITTEES.

#### *Finance:*

W. D. Tipton, R. L. Baca, Powell Stackhouse, Jr., Jesus C. Sanchez, A. S. Bushkevitz, F. J. Davidson.

#### *Judiciary:*

C. J. Roberts, Silvestre Mirabal, W. L. Blattman, Melquiades Chavez, R. L. Baca, A. S. Bushkevitz, C. R. Brice.

#### *Railroads:*

Powell Stackhouse, Jr., R. L. Baca, H. M. Sweezy, Melquiades Chavez, B. F. Brown, Julian Chavez, G. E. Moffett.

#### *Territorial Affairs:*

Silvestre Mirabal, R. L. Baca, C. J. Roberts, A. C. Pacheco, Price Walters, Santiago Garcia, M. R. Baker.

#### *Corporations:*

Powell Stackhouse, Jr., H. Martinez, W. L. Blattman, Saotiago Garcia, C. J. Roberts, A. A. Gallegos, G. E. Moffett.

#### *Education:*

Price Walters, Jesus C. Sanchez, W. D. Tipton, Zacarias Valdez, B. F. Brown, W. L. Blattman, J. W. Mullens.

#### *Public Institutions:*

A. S. Bushkevitz, Melquiades Chavez, B. F. Brown, Silvestre Mirabal, A. C. Pacheco, Julian Chavez, F. J. Davidson.

#### *Irrigation:*

H. Martinez, Price Walters, Julian Chavez, C. J. Roberts, Jesus C. Sanchez, Santiago Garcia, C. R. Brice.

#### *Enrolling and Engrossing Bills:*

Powell Stackhouse, Jr., C. J. Roberts, R. L. Baca, C. R. Brice.

#### *Counties and County Lines:*

Jesus C. Sanchez, A. C. Pacheco, W. D. Tipton, A. S. Bushkevitz, R. L. Baca, Price Walters, F. J. Davidson.

#### *Roads and Highways:*

W. L. Blattman, Melquiades Chavez, B. F. Brown, Zacarias Valdez, Julian Chavez, A. C. Pacheco, J. W. Mullens.

#### *Agriculture and Manufactures:*

Zacarias Valdez, A. S. Bushkevitz, Santiago Garcia, B. F. Brown, M. R. Baker.



*Mines and Public Lands:*

H. M. Sweezy, Silvestre Mirabal, Powell Stackhouse, Jr., A. A. Gallegos, Price Walters, H. Martinez, G. E. Moffett.

*Penitentiary:*

A. A. Gallegos, A. C. Pacheco, W. L. Blattman, Melquiades Chavez, B. F. Brown, R. L. Baca, G. E. Moffett.

*Public Printing:*

R. L. Baca, W. D. Tipton, Jesus C. Sanchez, Santiago Garcia, J. W. Mullens.

*Library:*

A. C. Pacheco, Price Walters, A. S. Bushkevitz, Julian Chavez, Zacarias Valdez, B. F. Brown, J. W. Mullens.

*Insurance:*

Melquiades Chavez, W. L. Blattman, A. A. Gallegos, Price Walters, H. Martinez, A. S. Bushkevitz, M. R. Baker.

*Banks and Banking:*

Santiago Garcia, Powell Stackhouse, Jr., Silvestre Mirabal, C. J. Roberts, A. A. Gallegos, W. D. Tipton, C. R. Brice.

*Internal Improvements:*

Julian Chavez, A. S. Bushkevitz, Melquiades Chavez, A. C. Pacheco, H. M. Sweezy, H. Martinez, G. E. Moffett.

*Public Property:*

Zacarias Valdez, B. F. Brown, Santiago Garcia, Price Walters, M. R. Baker.

*Capitol:*

R. L. Baca, Julian Chavez, W. L. Blattman, A. C. Pacheco, F. J. Davidson.

*Militia:*

B. F. Brown, A. A. Gallegos, W. D. Tipton, Julian Chavez, A. S. Bushkevitz, Silvestre Mirabal, J. W. Mullens.

*Livestock:*

Julian Chavez, W. L. Blattman, H. Martinez, Silvestre Mirabal, A. A. Gallegos, Santiago Garcia, J. W. Mullens.

*Rules:*

Mr. Speaker, Chairman; C. J. Roberts, R. L. Baca.

Mr. Bushkevitz moved that a committee of three be appointed by the Speaker to present a vote of thanks to His Excellency, the Governor of New Mexico, for the reception and welcome extended to this Honorable Body on the 19th instant, which motion prevailed.

Thereupon the Speaker appointed Messrs. Bushkevitz, Sanchez and Mullens as such committee, and instructed it to proceed at once and report its action with all convenient speed.

Said committee reported having carried out the Speaker's instructions and was discharged.

The following bills were introduced:

House Bill No. 1, introduced by Mr. Bushkevitz, "An act regulating the practice of land locating and surveying and for the appointment of a board of examiners in the matter of said regulation." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 2, introduced by Mr. Bushkevitz, "An act to establish an experiment station." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 3, introduced by Mr. Brice, "An act fixing the time for holding the terms of the District Court in the Fifth Judicial District of the Territory of New Mexico." Read first and second times by title.

On motion of Mr. Mullens, duly seconded and carried, the rules were suspended and House Bill No. 3 was considered translated, printed and referred, and was read a third time in full preparatory to its passage.

Mr. Mullens moved that the rules be further suspended and that House Bill No. 3 do now pass, which motion prevailed, and the Speaker declared said bill to have passed the House.

House Bill No. 4, introduced by Mr. Bushkevitz, "An act to create Curry county." Read first and second times by title, ordered translated and printed, and referred to the Committee on Counties and County Lines.

House Bill No. 5, introduced by Mr. Baca, by request, "An act to create Curry county." Read first and second times by title, ordered translated and printed and referred to the Committee on Counties and County Lines.

House Bill No. 6, introduced by Mr. Chavez (Sierra), "An act granting permission to settlers in the Territory of New Mexico to take salt from the saline lands in the Territory of New Mexico, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Public Lands.

House Bill No. 7, introduced by Mr. Chavez (Sierra), "An act

to amend Section 2, Chapter 51, of the Acts of the Thirty-sixth Legislative Assembly of the Territory of New Mexico; relative to the dove and quail season, and for other purposes, as amended by House Bill No. 251, approved March 21st, 1907." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

The following memorials and resolutions on the Speaker's table were taken up for consideration:

Council Joint Memorial No. 2, "Requesting the Congress of the United States to pass House Bill No. 15442, amending an act to establish United States Court of Private Land Claims."

Mr. Baca moved that the rules be suspended and that Council Joint Memorial No. 2 be taken up for consideration preparatory to its passage, which motion prevailed.

On motion of Mr. Baca, duly seconded and carried, the rules were further suspended and Council Joint Memorial No. 2 was considered read first and second times by title and was read a third time in full preparatory to its passage.

Mr. Baca moved that the rules be further suspended and that Council Joint Memorial No. 2 do now pass, which motion prevailed, and the Speaker declared said Memorial to have passed the House.

Council Joint Memorial No. 3, "Relative to the Carey Act." Read first and second times by title.

On motion of Mr. Bushkevitz, duly seconded and carried, the rules were suspended, and Council Joint Memorial No. 3, was read a third time in full preparatory to its passage.

A message from the Governor was received.

Mr. Bushkevitz moved that the rules be further suspended and that Council Joint Memorial No. 3 do now pass, which motion prevailed, and the Speaker declared said Memorial to have passed the House.

Council Joint Resolution No. 3, "Relative to the printing of five hundred copies in English and five hundred copies in Spanish of the Governor's message." Read first and second times by title.

On motion of Mr. Bushkevitz, duly seconded and carried, the rules were suspended and Council Joint Resolution No. 3 was read a third time in full preparatory to its passage.

Mr. Walters moved that Council Joint Resolution No. 3 take its regular course, which motion prevailed, and said resolution was referred to the Committee on Printing.

Council Joint Resolution No. 4, "Providing for supplying the members of the Council and House with the Compiled Laws of

1897, in Spanish and English." Read first and second times by title.

On motion of Mr. Valdez, duly seconded and carried, the rules were suspended, and Council Joint Resolution No. 4 was read a third time in full preparatory to its passage.

Mr. Walters moved that the rules be further suspended and that Council Joint Resolution No. 4 do now pass, which motion prevailed, and the Speaker declared said Resolution to have passed the House.

Council Joint Resolution No. 5, "Relative to supplying the members of the Council and House with the Laws of 1899, 1901, 1903, 1905, 1907 and copies of the journal of 1907, etc., in English and Spanish." Read first and second times by title.

On motion of Mr. Bushkevitz, duly seconded and carried, the rules were suspended and Council Joint Resolution No. 5 was read a third time in full preparatory to its passage.

Mr. Sanchez moved that the rules be further suspended and that Council Joint Resolution No. 5 do now pass, which motion prevailed.

The following message from the Governor was read:

"Message No. 2.

"Santa Fe, New Mexico, January 20th, 1909.

To the Honorable, the Speaker of the House of Representatives,  
Thirty-eighth Legislative Assembly of New Mexico.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Joint Memorial No. 1, relative to statehood for New Mexico.

Council Joint Resolution No. 2, providing for telegraphic transmission of Council Joint Memorial No. 1.

I am, Gentlemen,

Respectfully yours,

GEORGE CURRY,

Governor of New Mexico."

Mr. Baca moved that a committee of three be appointed by the Speaker to notify the Governor of the readiness of the House to extend their congratulations to Bishop Jean Baptiste Pitaval, which motion prevailed.

Thereupon the Speaker appointed as members of said committee, Messrs. Baca, Mirabal and Blattman.

The following message from the Council was received:

"Mr. Speaker:

The Honorable Council instructs me to inform the Honorable House that it has passed Council Joint Resolution No. 6, with reference to the printing of the rules, and requests the concurrence of the House therein."

The committee appointed by the Speaker to notify the Governor of the readiness of the House to visit Bishop Pitaval reported that the Governor was ready at this time to accompany the House.

Mr. Bushkevitz moved that the House do now adjourn until tomorrow at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## FIFTH DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, January 22, 1909.  
Friday, 10:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business. Prayer by the Chaplain.

The journal of the fourth day was read in English, with the exception of the names of the various committees, the reading of which names was dispensed with on motion of Mr. Roberts.

On motion of Mr. Valdez, duly seconded and carried, the reading of the journal in Spanish was dispensed with, and the same was approved as read.

The following bills were introduced:

House Bill No. 8, introduced by Mr. Mullens, by request, "An act to fix additional causes and grounds for divorce and annulment of marriages in the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 9, introduced by Mr. Baca, "An act establishing a university for women in the Territory of New Mexico." Read

first and second times by title, ordered translated and printed and referred to the Committee on Territorial Affairs.

House Bill No. 10, introduced by Mr. Garcia: "An act to amend Section 2, of Chapter 32, of the Acts of the Thirty-fifth Legislative Assembly, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 11, introduced by Mr. Chavez (Sierra), "An act relative to bounties on lepus callotes, commonly called New Mexico Jack-rabbits." Read first and second times by title.

Mr. Chavez moved that the rules be suspended and that House Bill No. 11 be considered translated and printed, and be read a third time in full preparatory to its passage. The roll call being demanded, resulted as follows:

Ayes—Baca, Blattman, Brown, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Mirabal, Pacheco, Sanchez, Valdez—11.

Nays—Baker, Brice, Bushkevitz, Davidson, Martinez, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Walters and Mr. Speaker—13.

The result being in the negative the bill was referred to the Committee on Livestock.

House Bill No. 12, introduced by Mr. Moffett, "An act to amend an act for the protection of minors at school, approved February 18th, 1901." Read first and second times by title, ordered translated and printed and referred to the Committee on Education.

House Bill No. 13, introduced by Mr. Moffett, by request, "An act to prohibit playing at games with cards in public places." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 14, introduced by Mr. Chavez (Sierra), "An act relative to the sale and disposition of personal property, given as security for money loaned, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

The following resolution on the Speaker's table was taken up for consideration:

Council Joint Resolution No. 6. "With reference to printing of the rules." Read first and second times by title.

On motion of Mr. Walters, duly seconded and carried, the rules were suspended and Council Joint Resolution No. 6 was read a third time in full preparatory to its passage.

Mr. Valdez moved that the rules be further suspended and that

Council Joint Resolution No. 6 do now pass, which motion prevailed.

Mr. Baca moved that the House do now adjourn until Monday afternoon at two o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## SIXTH DAY.

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### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, January 25th, 1909.  
Monday, 2:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.

Prayer by the Chaplain.

The journal of the fifth day was read in English and Spanish, and on motion of Mr. Sanchez was approved as read.

Mr. Baca, upon being recognized by the Chair, stated that he had been charged by the Committee on Rules to report back to the House a set of rules for the government of this body and moved that this House do now resolve itself into the Committee of the Whole, for the purpose of considering said rules, which motion prevailed.

The House then resolved itself into the Committee of the Whole with Mr. Chavez (Bernalillo) in the chair.

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The Speaker called the House to order, for the purpose of receiving a message from the Governor, which was read as follows: "Message No. 3.

Santa Fe, New Mexico, January 25th, 1909.

Sir:

I enclose herein a communication from Major R. J. Palen, Secretary of the Capitol Improvement Board, for your consideration.

It appears that the original appropriation for the construction of the Capitol Annex and Governor's residence is insufficient to complete these buildings in accordance with the plans and speci-

fications of the architect, and after a consultation with the Capitol Improvement Board, we agreed that the matter should be immediately placed before the Legislative Assembly, with the request that a committee be appointed for the purpose of taking the matter up, as it was considered best to make no further expenditures until authorized to do so by the Territorial Legislature.

I also enclose herein a telegram from Mr. Arthur Seligman, in regard to furnishings for the executive mansion. Mr. Seligman is now in New York City, and I have wired him that I would refer the matter to your assembly for your consideration. In this connection I may say that I consider the sum mentioned by Mr. Seligman as necessary for the furnishings is rather large. I am of the opinion that the Territory should purchase good, substantial furniture for this residence, and that the linens, silverware and china should be purchased by the Governor at his personal expense.

I shall be pleased to confer with your committee at any time, and to render them every assistance possible.

I am, Sir,

Respectfully yours,

GEORGE CURRY,  
Governor.

Hon. E. A. Miera, Speaker, Santa Fe, New Mexico."

The following telegram and letter to Governor Curry were read:

"Telegram.

Chicago, Ill., January 23.

Gov. George Curry, Santa Fe, N. M.

Leave for New York this morning. Would suggest appropriation for nine thousand to furnish building complete including freight propositions that were submitted for five thousand exclusive freight will not do better get good value new goods that will last can have everything ready February 5th, if you wire me authority to purchase.

ARTHUR SELIGMAN,"

'Copy'

"To Hon. George Curry, Governor of New Mexico.

Sir: I have the honor to submit a resolution passed by this board at a meeting held this day as follows:

On motion of Mr. W. S. Hopewell, it was resolved that the board now call on Governor Curry to recommend to the Legislative Assembly the appointment of a joint committee to confer with this board as to the necessity for and propriety of making addi-



tional appropriations for the completion of the Capitol extension and Executive Mansion as recommended by this board.

Respectfully yours,

R. J. PALEN, Secretary."

Mr. Baca moved that in accordance with the suggestion by the Governor, a special committee of three be appointed by the Chair to confer with a like committee from the Council and report to the House, which motion prevailed.

The Speaker then appointed the following as said committee: Mr. Baca, Mr. Roberts and Mr. Gallegos.

Whereupon the House again resolved itself into the Committee of the Whole.

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The House was again called to order by the Speaker, pursuant to the sitting of the Committee of the Whole, and Mr. Chavez, (Bernalillo), chairman of the Committee of the Whole, reported as follows:

"Mr. Speaker:

I, as Chairman of the Committee of the Whole, have the honor to report that the rules submitted to this committee for the government of this Honorable Body, are recommended and that they be adopted by this Honorable House."

On motion of Mr. Baca, the report of the committee was adopted.

House Joint Resolution No. 1, introduced by Mr. Valdez, opposing any change in the name of the Territory of New Mexico when it becomes a state. Read first and second times by title.

Mr. Sanchez moved that the rules be suspended and that House Joint Resolution No. 1 be placed upon its passage, and the roll call being demanded, resulted as follows:

Ayes—Baca, Blattman, Brice, Bushkevitz, Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters and Mr. Speaker—22.

Nays—Baker, Chavez, (Sierra)—2.

The result being in the affirmative, the rules were suspended and said resolution was placed upon its passage.

By request House Joint Resolution No. 1 was read a third time in full, for information.

Mr. Walters moved that under a further suspension of the rules House Joint Resolution No. 1 be considered translated and printed, and considered read a third time in full, preparatory to its passage, and that said resolution do now pass, which motion

prevailed, and the Speaker declared said resolution to have passed the House.

Mr. Baca moved that the House do now adjourn until tomorrow morning at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## SEVENTH DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, January 26th, 1909.  
Tuesday, 10:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.

Prayer by the Chaplain.

The journal of the sixth day was read in English and Spanish and on motion of Mr. Valdez was approved as read.

The following message from the Council was announced:

"Mr. Speaker:

The Honorable Council instructs me to inform this Honorable Body that it has concurred in the passage of House Bill No. 3, 'An act fixing the time for holding the terms of the District Court in the Fifth Judicial District of the Territory of New Mexico,' also that it has passed Council Joint Resolution No. 7, relative to the birthday of Abraham Lincoln, and respectfully requests the concurrence of the House in the same."

The following petition was introduced:

House Petition No. 1, introduced by Mr. Mullens, "A petition for demonstration farms." Read first and second times by title, ordered translated, printed and referred to the Committee on Agriculture and Manufactures.

The following bills were introduced:

House Bill No. 15 introduced by Mr. Blattman, "An act declaring section lines, highways in the Territory of New Mexico." Read first and second times by title, ordered translated and printed and referred to the Committee on Roads and Highways.

House Bill No. 16, introduced by Mr. Blattman, "An act to amend Chapter 53, of the Laws of the Thirty-seventh Legislative Assembly of New Mexico, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 17, introduced by Mr. Chavez, (Sierra), "An act relative to commissioners and mayor-domos of community ditches and prescribing the manner of their election." Read first and second times by title, ordered translated and printed, and referred to the Committee on Agriculture and Manufactures.

House Bill No. 18, introduced by Mr. Walters, "An act providing for five days additional good time per month for territorial convicts who are working as mechanics, acting as foremen, trustees and others who work outside of the walls of the Territorial penitentiary, also where there is a fine or costs, or both, attached to any sentence that convicts so sentenced shall not be required to serve over thirty days for such fine and costs." Read first and second times by title, ordered translated and printed, and referred to the Committee on Penitentiary.

House Bill No. 19, introduced by Mr. Mullens, "An act granting to the city of Roswell such portions of Section 16 of Township 11, South of Range 24, East, New Mexico Principal Meridian, for cemetery purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Public Property.

House Bill No. 20, introduced by Mr. Chavez (Sierra), "An act relating to goats pasturing within three miles of towns having a population of three hundred in the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Livestock.

House Bill No. 21, introduced by Mr. Chavez (Sierra), "An act relating to land grants and fixing a minimum rate of taxation on land grants and all other lands in the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 22, introduced by Mr. Chavez (Sierra), "An act requiring sewing machine agents under certain conditions to pay a license." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 23, introduced by Mr. Chavez (Sierra), "An act relating to work upon the public highways." Read first and second times by title, ordered translated and printed, and referred to the Committee on Roads and Highways.

House Bill No. 24, introduced by Mr. Martinez, "An act further to amend Chapter 124, of the Laws of 1905, an act entitled an act relating to public highways." Read first and second times by title, ordered translated and printed, and referred to the Committee on Roads and Highways.

House Bill No. 25, introduced by Mr. Brown, "An act entitled an act to restore to Union county that territory annexed to Quay county by an act of the Thirty-seventh Legislative Assembly, approved March 20th, 1907." Read first and second times by title.

Mr. Brown moved that the rules be suspended and that House Bill No. 25 be considered translated, printed and referred. The roll call being demanded, resulted as follows:

Ayes—Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters and Mr. Speaker—18.

Nays—Baker, Brice, Davidson, Moffett, Stackhouse—5.

There being the necessary two-thirds majority the Speaker declared the rules suspended.

On motion of Mr. Brown, duly seconded and carried, under suspension of the rules, House Bill No. 25 was read a third time in full preparatory to its passage.

During the reading of House Bill No. 25 in full, the following message from the Council was received:

"Mr. Speaker:

The Honorable Council instructs me to inform the Honorable House that it has duly passed Council Bill No. 4, 'An act entitled an act to validate the intended incorporation of cities and incorporated towns, and respectfully requests the concurrence of the House in the same.'

Mr. Brown moved that the rules be further suspended and that House Bill No. 25 be put upon its passage, which motion prevailed.

Mr. Brown moved that under the suspension of the rules House Bill No. 25 do now pass. The roll call being demanded resulted as follows:

Ayes—Baca, Blattman, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, and Mr. Speaker—18.

Nays—Baker, Brice, Bushkevitz, Moffett, Mullens, Stackhouse.—6.

The result being in the affirmative, the Speaker declared House Bill No. 25 to have passed the House.

House Bill No. 26, introduced by Mr. Brown, by request, "An act creating Taft county." Read first and second times by title, ordered translated and printed, and referred to the Committee on Counties and County Lines.

House Bill No. 27, introduced by Mr. Moffett, by request, "An act entitled an act granting the right of eminent domain for securing right of way for transmission of electric power, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Internal Improvements.

House Bill No. 28, introduced by Mr. Moffett, by request, "An act entitled an act to amend Section 30, Chapter 104, Laws of 1907, authorizing the Commissioner of Public Lands to grant right of way on public lands, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Mines and Public Lands.

House Bill No. 29, introduced by Mr. Davidson, "An act entitled an act to repeal an act entitled an act to make the town of Silver City an independent school district, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Education.

House Bill No. 30, introduced by Mr. Roberts, "An act entitled an act relative to the sale of a portion of a stock of merchandise other than in the ordinary course of trade, and for other purposes, and providing a penalty." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 31, introduced by Mr. Roberts, "An act to prevent the owners of stallions, kept for service, from fraud and imposition, requiring a license, giving a lien upon the 'get' of a licensed sire and providing a penalty." Read first and second times by title, ordered translated and printed, and referred to the Committee on Livestock.

House Bill No. 32, introduced by Mr. Roberts, "An act to prevent and punish frauds in sales of manufactured goods, wares and merchandise by 'itinerant vendors,' and to regulate such sales." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 33, introduced by Mr. Valdez, "An act to amend Chapter 53, of the Laws of the Thirty-seventh Legislative Assembly of the Territory of New Mexico." Read first and second times

by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 34, introduced by Mr. Gallegos, "An act to repeal Chapter 53, of the Laws of the Thirty-seventh Legislative Assembly of the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

The following resolutions on the Speaker's table were taken up:

Council Joint Resolution No. 7, relative to Lincoln's birthday. Read first and second times by title, and on motion of Mr. Valdez, read in full for information.

Mr. Valdez moved that the rules be suspended and that said resolution be considered read a third time in full, preparatory to its passage, which motion prevailed.

Mr. Baca moved that under further suspension of the rules Council Joint Resolution No. 7 do now pass, which motion prevailed, and the Speaker declared said resolution to have passed the House.

Council Joint Resolution No. 8, relative to the payment of legislative expenses. Read first and second times by title.

On motion of Mr. Baca, duly seconded and carried, the rules were suspended and said resolution was read a third time in full preparatory to its passage.

Mr. Baca moved that under further suspension of the rules Council Joint Resolution No. 8 do now pass, which motion prevailed, and the Speaker declared said resolution to have passed the House.

Mr. Martinez moved that the House do now take a recess until two o'clock this afternoon, which motion prevailed.

#### AFTERNOON SESSION.

House met pursuant to recess with the Speaker in the chair.

All members being present the House proceeded to business.

Mr. Blattman moved that the House adjourn until tomorrow afternoon at two o'clock, which motion prevailed.

Approved:

Attest:

E. H. SALAZAR,  
Chief Clerk.

E. A. MIERA,  
Speaker.

## EIGHTH DAY.

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### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, January 27th, 1909.  
Wednesday, 2:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.

Prayer by the Chaplain.

The journal of the seventh day was read in English and Spanish, and on motion of Mr. Martinez, was approved as read.

Mr. Chavez moved that the House do now adjourn until Friday morning at 10:00 o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## NINTH DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, January 29th, 1909.  
Friday, 10:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.

Prayer by the Chaplain.

Mr. Baca moved that the reading of the journal for the eighth day be dispensed with, and that the same be approved by the Speaker after inspection, which motion prevailed.

The Speaker presented a petition relative to the holding of two public meetings of the New Mexico Historical Society in the chamber of the House of Representatives.

By unanimous consent Mr. Baca introduced House resolution No. 1, which was read as follows:

*"Resolved, That the use of the chamber of the House of Repre-*

sentatives be granted to the Historical Society of New Mexico for holding of public historical meetings on the evenings of February 10th, and February 17th."

Mr. Baca moved the adoption of the resolution, which motion prevailed.

Mr. Mullens presented House Petition No. 2, asking the enactment of the Australian ballot law. Read first and second times by title, ordered translated and printed and referred to the Committee on Territorial Affairs.

Mr. Brown presented House Petition No. 3, asking the creation of Taft county. Read first and second times by title, ordered translated and printed, and referred to the Committee on Counties and County Lines.

Mr. Mullens presented House Petition No. 4, favoring consolidation of fractional school districts lying in different counties into one district for school purposes. Read first and second times by title, ordered translated and printed, and referred to the Committee on Education.

The following message from the Council was announced:

"Mr. Speaker:

The Honorable Council instructs me to inform this Honorable Body that it has duly passed Council Bill No. 1, 'An act to reimburse the citizens of Albuquerque for expenditures made in building the Armory;' also that it has passed Council Joint Resolution No. 9, 'relative to supplying printed matter on New Mexico to members of the Congress;' also that it has concurred in the passage of House Joint Resolution No. 1, 'opposing any change in the name of the Territory of New Mexico when it becomes a state.' "

The Speaker presented House Petition No. 5, requesting an appropriation of ten thousand dollars for a home for dependent children. Read first and second times by title, ordered translated and printed and referred to the Committee on Finance.

Mr. Baca presented House Petition No. 6, by request, applying for the use of the Hall of the House of Representatives for the purpose of an illustrated lecture by Prof. Edgar L. Hewett upon the subject of archaeology. Read in full for information.

Mr. Baca moved that the request asked for in said petition be granted, which motion prevailed.

The following report of the Committee on Enrolled and Engrossed Bills was read:



"Santa Fe, New Mexico, January 29th, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred House Bill No. 3, 'An act entitled an act fixing the time for holding the terms of the court of the Fifth Judicial District of the Territory of New Mexico, has had the same under consideration, and I am directed to report that the said bill has been properly enrolled and engrossed and is ready to be signed.

POWELL STACKHOUSE, JR., Chairman."

Report was adopted on motion of Mr. Mullens.

The following resolution was introduced:

House Joint Resolution No. 2, introduced by Mr. Sanchez, "Relating to the appointment of joint committees to visit and report upon the conditions of the various Territorial institutions." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

The following bills were introduced:

House Bill No. 35, introduced by Mr. Chavez (Bernalillo), "An act to amend Chapter 694, of the Compiled Laws of 1897, relative to the publication of the proceedings of the County Commissioners." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 36, introduced by Mr. Brown, "An act to prohibit the running at large of livestock, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 37, introduced by Mr. Mullens, "An act to amend Section 7 of Chapter 68, of the Laws of 1905." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 38, introduced by Mr. Mullens, "An act to repeal Section 3 of Chapter 103, of the Laws of 1907." Read first and second times by title, ordered translated and printed, and referred to the Committee on Banks and Banking.

House Bill No. 39, introduced by Mr. Sweezy, "An act to amend Section 3 of Chapter 53, of the Acts of the Thirty-seventh Legislative Assembly of the Territory of New Mexico." Read first and second times by title, ordered translated and printed and referred to the Committee on Corporations.

House Bill No. 40, introduced by Mr. Stackhouse, Jr., "An act to amend Section 18 of Chapter 49, of the Laws of the Thirty-seventh Legislative Assembly of the Territory of New Mexico."

Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 41, introduced by Mr. Sanchez, "An act amending an act providing for funds and making appropriations for the 59th and 60th fiscal years, approved March 21st, 1907." Read first and second times by title, ordered translated and printed.

Mr. Sanchez moved that the rules be suspended and that House Bill No. 41, be taken up for consideration. The roll call being demanded, resulted as follows:

Ayes—Blattman, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Valdez—12.

Nays—Baca, Baker, Brice, Bushkevitz, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Walters and Mr. Speaker—12.

The motion failing to receive the necessary two-thirds vote the Speaker declared said motion lost.

By request House Bill No. 41 was read in full for information, and referred to the Committee on Education.

House Bill No. 42, introduced by Mr. Martinez, "An act referring to selection and qualification of jurors." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 43, introduced by Mr. Valdez, "An act providing for the acceptance of county debts in payment of county taxes." Read first and second times by title, ordered translated and printed and referred to the Committee on Finance.

House Bill No. 44, introduced by Mr. Baca, "An act relative to the right to eminent domain." Read first and second times by title, ordered translated and printed and referred to the Committee on Mines and Public Lands.

House Bill No. 45, introduced by Mr. Martinez, "An act with reference to the selection of school directors." Read first and second times by title, ordered translated and printed, and referred to the Committee on Education.

House Bill No. 46, introduced by Mr. Bushkevitz, "An act to donate land to Precinct No. 22, Mora county, Territory of New Mexico, for cemetery purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Internal Improvements.

House Bill No. 47, introduced by Mr. Bushkevitz, "An act to amend Section 242 of the Compiled Laws of 1897." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 48, introduced by Mr. Bushkevitz, "An act to repeal Chapter 86 of the Session Laws of 1901." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 49, introduced by Mr. Walters, "An act to amend Section 25 of Chapter 97, of the Laws of 1907, an act to revise and systematize the school laws of the Territory of New Mexico, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Education.

House Bill No. 50, introduced by Mr. Walters, "An act to provide for the furnishing of proper bonds by Territorial and county officials, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 51, introduced by Mr. Walters, "An act regarding the sale of Territorial, County School Districts and Municipal bonds and prescribing the duties of certain public officials, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 52, introduced by Mr. Walters, "An act with reference to the fees of district attorneys." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 53, introduced by Mr. Walters, "An act amending Section 2, Chapter 45, of the Laws of 1907, entitled an act to regulate the classification of counties and fixing the salaries of certain county officials." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 54, introduced by Mr. Walters, "An act defining a lawful fence in the Territory of New Mexico." Read first and second times by title, ordered translated and printed and at the request of Mr. Walters, referred to the Committee on Territorial Affairs.

House Bill No. 55, introduced by Mr. Walters, "An act classifying the employees of the House of Representatives and providing compensation therefor." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 56, introduced by Mr. Walters, "An act providing for the collection of poll taxes and prescribing the duties of

certain officials, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Education.

House Bill No. 57, introduced by Mr. Walters, "An act to amend Section 1, Chapter 33, of the Laws of 1905, and creating the Twelfth District for District Attorney purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 58, introduced by Mr. Walters, "An act to provide for the printing and furnishing of tax schedules and assessment rolls for the several counties of the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Public Printing.

House Bill No. 59, introduced by Mr. Sanchez, "An act to amend an act to revise and systematize the school laws of the Territory of New Mexico, approved March 21, 1907." Read first and second times by title, ordered translated and printed, and referred to the Committee on Education.

The following Council bills and joint resolutions, on the Speaker's table, were taken up, read first and second times by title and referred:

Council Bill No. 4, "An act to validate the attempted incorporation of cities and incorporated towns, and contracts and acts already made and done thereunder." Referred to the Committee on Corporations.

Council Bill No. 1, "An act providing for the reimbursing of certain citizens of Albuquerque, New Mexico, for expenditures made on account of the construction of the Armory in said city." Referred to the Committee on Finance.

Council Joint Resolution No. 9, "Relative to supplying printed matter on New Mexico to members of Congress." Referred to the Committee on Finance.

Mr. Baca moved that the House do now adjourn until Monday afternoon at two o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

## TENTH DAY.

## AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 1st, 1909.  
Monday, 2:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present except Messrs. Bushkevitz and Stackhouse, who were excused, the House proceeded to business.

Prayer by the Chaplain.

The journal of the ninth day was read in English and Spanish, and on motion of Mr. Garcia was approved as read.

The following petitions were presented:

House Petition No. 6, presented by Mr. Moffett, relating to fence and herd laws, reduction in numbers of grand jurors, and other matters. Read first and second times by title, ordered translated and printed and referred to the Committee on Manufactures and Agriculture.

House Petition No. 7, presented by Mr. Moffett, asking for the passage of a hunter's license law. Read first and second times by title, ordered translated and printed and referred to the Committee on Territorial Affairs.

House Resolution No. 2, introduced by Mr. Brown, providing for a mode of procedure in bills of appropriation. Read first and second times by title.

Mr. Brown moved that the rules be suspended and that House Resolution No. 2 be considered translated and printed and referred, and be now read a third time in full preparatory to its adoption. Roll call being demanded, resulted as follows:

Ayes—Blattman, Brown, Chavez (Sierra), Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Valdez, Walters—11.

Nays—Baca, Baker, Brice, Chavez (Bernalillo), Davidson, Moffett, Mullens, Roberts, Sweezy, Tipton and Mr. Speaker—11.

The Speaker declared the motion lost and the resolution was referred to the Committee on Rules.

The following House Bills were introduced:

House Bill No. 60, introduced by Mr. Sanchez, "An act to amend Section 1533 of the school laws of the Territory of New Mexico." Read first and second times by title, ordered translated and printed and referred to the Committee on Education.

House Bill No. 61, introduced by Mr. Chavez (Sierra), "An act relating to the collection of a tax for the public schools of the Territory of New Mexico to be assessed and collected from male persons over the age of twenty-one years, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Education.

House Bill No. 62, introduced by Mr. Chavez (Sierra), "An act to prevent injury to telegraph and telephone lines." Read first and second times by title, ordered translated and printed, and referred to the Committee on Railroads.

House Bill No. 63, introduced by Mr. Chavez (Sierra), "An act concerning notaries public who are stockholders, directors, officers or employees of banks and other corporations." Read first and second times by title, ordered translated and printed and referred to the Committee on Corporations.

House Bill No. 64, introduced by Mr. Chavez (Sierra), "An act relative to the Cattle Sanitary Board and the inspectors thereof, and increasing the duties of the inspectors." Read first and second times by title, ordered translated and printed and referred to the Committee on Livestock.

House Bill No. 65, introduced by Mr. Chavez (Sierra), "An act to protect the public roads and highways of the Territory of New Mexico from damage by livestock being driven over and along same." Read first and second times by title, ordered translated and printed, and referred to the Committee on Roads and Highways.

House Bill No. 66, introduced by Mr. Chavez (Sierra), "An act relating to and forbidding minors from loitering about the streets of all towns and villages in the Territory of New Mexico and requiring such minors to be at their homes after nine o'clock p. m., unless away from their respective homes with the consent of their parents or guardians." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 67, introduced by Mr. Gallegos, "An act giving county school superintendents authority to examine and qualify teachers for the third grade." Read first and second times by title, ordered translated and printed and referred to the Committee on Education.

House Bill No. 68, introduced by Mr. Sanchez, "An act to amend an act for the protection of minors and pupils in schools, and for other purposes." Read first and second times by title,

ordered translated and printed, and referred to the Committee on Education.

House Bill No. 69, introduced by Mr. Tipton, "An act to amend Section 1, Chapter 67, of the Laws of 1903, relating to Territorial indebtedness and the redemption thereof." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 70, introduced by Mr. Tipton, "An act entitled an act regulating and prescribing the manner of disbursement of Territorial funds." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 71, introduced by Mr. Baker, "An act entitled an act to provide for local option herd law in certain counties, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 72, introduced by Mr. Moffett, "An act providing funds and making an appropriation for the benefit of rural or isolated public schools." Read first and second times by title, ordered translated and printed, and referred to the Committee on Education.

House Bill No. 73, introduced by Mr. Moffett, "An act entitled an act to amend Section 1774 and 1775 of the Compiled Laws of 1897, relating to fees of justices of the peace and constables." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

The following message from the Council was announced:

"Mr. Speaker:

The Honorable Council instructs me to inform this Honorable Body that it has passed House Bill No. 25, with amendments, an act to restore to Union county that territory annexed to Quay county by an act of the Thirty-seventh Legislative Assembly, and respectfully asks the concurrence of the House in said amendments."

House Bill No. 74, introduced by Mr. Blattman, "An act entitled an act amending Chapter 90 of the Laws of the Thirty-seventh Legislative Assembly authorizing the practice of Kiro-practice in the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 75, introduced by Mr. Valdez, "An act entitled an act referring to the public schools of the Territory of New Mexico." Read first and second times by title, ordered trans-

lated and printed, and referred to the Committee on Education.

House Bill No. 76, introduced by Mr. Valdez, "An act entitled an act to amend Section 6 of Chapter 43, of the Laws of 1901." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

Under the order of business on the Speaker's table House Bill No. 25, as amended, was taken up, and by request of Mr. Mirabal was read in full, as amended, for information.

During the reading of said bill the following message from the Council was announced:

"Mr. Speaker:

The Honorable Council instructs me to inform this Honorable Body that it has passed Amended Council Joint Resolution No. 10, providing for certain printing, and requests the concurrence of this Honorable Body in the same."

Mr. Brown moved that the rules be suspended and that House Bill No. 25, as amended, be put upon its passage. The roll call being demanded, resulted as follows:

Ayes—Blattman, Brown, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Valdez,—11.

Nays—Baca, Baker, Brice, Davidson, Moffett, Mullens, Roberts, Sweezy, Tipton, Walters, and Mr. Speaker—11.

The Speaker declared said motion lost and the said House Bill No. 25, as amended, was referred to the Committee on Counties and County Lines.

Mr. Blattman moved that the House do now adjourn until tomorrow morning at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## ELEVENTH DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 2nd, 1909.  
Tuesday, 10:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.



All members being present except Mr. Stackhouse, Jr., excused, the House proceeded to business.

Prayer by the Chaplain.

The journal of the tenth day was read in English and Spanish and on motion of Mr. Baca, was approved as read.

During the reading of the journal a message from the Governor was received.

Mr. Roberts moved that the House do now adjourn until tomorrow morning at ten o'clock, and the roll call being demanded by Mr. Brown, resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Davidson, Moffett, Mullens, Roberts, Sweezy, Tipton, Walters, Mr. Speaker—12.

Nays—Blattman, Brown, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Valdez—11.

The result being in the affirmative, said motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## TWELFTH DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 3rd, 1909.  
Wednesday, 10:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.

Prayer by the Chaplain.

A message from the Governor was received.

The journal of the eleventh day was read in English and Spanish, and on motion of Mr. Martinez, was approved as read.

The following petitions were presented.

House Petition No. 8, presented by Mr. Mullens, "protesting against the division of Chaves county in any manner whereby Lake Arthur would be detached from Chaves county or added to any proposed new county." Read first and second times by title, and referred to the Committee on Counties and County Lines.

House Petition No. 9, presented by Mr. Bushkevitz, "a petition from the citizens of Mora and Union counties asking for the creation of Bent county." Read first and second times by title, and referred to the Committee on Counties and County Lines.

House Petition No. 10, presented by Mr. Brown, "asking for the annexation of Logan to Union county." Read first and second times by title and referred to the Committee on Counties and County Lines.

The following reports of standing committees were read:

"Santa Fe, New Mexico, February 3rd, 1909.

Mr. Speaker:

Your Committee on Roads and Highways, to whom has been referred House Bill No. 15, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it do now pass.

W. L. BLATTMAN, Chairman."

Mr. Sanchez moved that the report of the committee be adopted, and that the bill be tabled indefinitely, which motion prevailed.

The following message from the Council was announced:

"Mr. Speaker:

The Honorable Council instructs me to inform this Honorable Body that it has passed Council Substitute for Council Bill No. 3, 'An act relative to the unauthorized wearing and use of badges, names, titles of officers, insignia, etc.;' also that it has duly passed Council Bill No. 34, 'An act for the repression of disease among cattle;' also Council Bill No. 42, 'An act for the establishment of a herd law;' also that it has duly passed Council Joint Resolution No. 11, 'relative to the transmission of Memorial No. 4;' also that it has passed Council Joint Memorial No. 4, 'relative to statehood;' also that it has passed Council Joint Resolution No. 17, 'relative to joint session of the Council and the House,' and respectfully asks the concurrence of this Honorable Body therein."

"Santa Fe, New Mexico, February 3rd, 1909.

Mr. Speaker:

Your Committee on Roads and Highways, to whom has been referred House Bill No. 23, has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it do now pass.

W. L. BLATTMAN, Chairman."

Mr. Walters moved that the report of the committee be adopted and that House Bill No. 23 be tabled indefinitely, which motion prevailed.

"Santa Fe, New Mexico, February 3rd, 1909.

Mr. Speaker:

Your Committee on Counties and County Lines, to whom has been referred House Bill No. 4, for which we offer a substitute entitled, 'An act to create Bent county,' has had the same under consideration, and I am directed to report the said House Bill No. 4 to the House with the recommendation that it do pass.

JESUS C. SANCHEZ, Chairman."

Mr. Bushkevitz moved that the report of the committee be adopted and that original House Bill No. 4 be tabled indefinitely, which motion prevailed.

Mr. Bushkevitz moved that the rules be suspended and that House Substitute for House Bill No. 4 be considered read a first and second times by title and be now read a third time in full, preparatory to its passage, which motion prevailed.

House Substitute for House Bill No. 4 was read in full in English.

During the reading of the bill in Spanish, Mr. Chavez (Sierra), moved that the further reading of the bill in Spanish be dispensed with, which motion prevailed.

Under further suspension of the rules, Mr. Bushkevitz moved that House Substitute for House Bill No. 4 do now pass. Roll call being demanded, resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Moffett, Roberts, Sanchez, Stackhouse, Jr., Tipton, Walters, Mr. Speaker—14.

Nays—Blattman, Brown, Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Sweezy, Valdez—10.

The result being in the affirmative, the Speaker declared House Substitute for House Bill No. 4, to have passed the House.

"Santa Fe, New Mexico, February 3rd, 1909.

Mr. Speaker:

Your Committee on Finance to whom has been referred Council Joint Resolution No. 9, 'relative to supplying printed matter on New Mexico to members of Congress,' has had the same under consideration, and I am directed to report said Council Joint Resolution No. 9, with the recommendation that it be passed.

W. D. TIPTON, Chairman."

On motion of Mr. Roberts, the report of the committee was adopted.

On motion of Mr. Baca, duly seconded and carried, Council

Joint Resolution No. 9 was read a third time in full, preparatory to its passage.

Mr. Baca moved that Council Joint Resolution No. 9 do now pass, and the roll call being demanded, resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Jr., Sweezy, Tipton, Valdez, Walters, Mr. Speaker—24.

Nays—none.

The result being in the affirmative, the Speaker declared said resolution to have passed the House.

On motion of Mr. Roberts, duly seconded and carried, the rules were suspended and Council Joint Resolution No. 17 was considered read a first and second times by title, translated, printed and referred, and was read a third time in full preparatory to its passage.

Mr. Roberts moved that Council Joint Resolution No. 17 be amended by inserting the words "February fourth" after the word "Thursday," which motion prevailed.

Mr. Walters moved that Council Joint Resolution No. 17, as amended do now pass, which motion prevailed.

The following bills were introduced:

House Bill No. 77, introduced by Mr. Baca, "An act to appropriate money for the completion of the Capitol extension and Governor's mansion, etc." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 78, introduced by Mr. Baca, by request, "An act providing for the writing and publishing of the history of New Mexico." Read first and second times by title, ordered translated and printed and referred to the Committee on Finance.

House Bill No. 79, introduced by Mr. Davidson, "An act to make all personal property subject to execution for the purchase price thereof." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 80, introduced by Mr. Davidson, "An act to provide for the recording of certified copies of patents issued by the United States for land." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 81, introduced by Mr. Mullens, "An act to create the office of County Supervisor of Public Highways in the Terri-

tory of New Mexico, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 82, introduced by Mr. Garcia, "An act concerning public school teachers in rural districts, also third grade certificates." Read first and second times by title, ordered translated and printed, and referred to the Committee on Education.

House Bill No. 83, introduced by Mr. Roberts, "An act to provide an appropriation for gauging the streams of the Territory of New Mexico." Read first and second times by title, ordered translated and printed and referred to the Committee on Finance.

House Bill No. 84, introduced by Mr. Roberts, "An act to amend Sections 1, 3, 4, 7, 9 and 10 of Chapter 34, of the Acts of the Thirty-seventh Legislative Assembly and to amend Section 22, of Chapter 103, of the Acts of the Thirty-fifth Legislative Assembly of the Territory of New Mexico, an act entitled an act to regulate the practice of medicine in the Territory of New Mexico, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 85, introduced by Mr. Tipton, "An act to amend Section 1 of Chapter 97, of the Laws of 1901." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 86, introduced by Mr. Tipton, "An act to amend Chapter 53 of the Laws of the Thirty-seventh Legislative Assembly of the Territory of New Mexico, relating to public highways, approved March 20, 1907." Read first and second times by title, ordered translated and printed and referred to the Committee on Corporations.

The following business on the Speaker's table was taken up:

Council Joint Resolution No. 11, "relative to the transmission of Memorial No. 4, providing for the printing and distribution to members of Congress of Joint Memorial No. 4." Read first and second times by title and referred to the Committee on Finance.

Amended Council Joint Resolution No. 10, providing for the printing ordered by the Council and the House of the Thirty-eighth Legislative Assembly. Read first and second times by title, and referred to the Committee on Finance.

Council Joint Memorial No. 4, asking the immediate admission of New Mexico into the Union as a state in compliance with the recent pledges of the two great political parties of the United States." Read first and second times by title.

By request, Council Joint Memorial No. 4 was read in full for information.

Mr. Martinez moved that the rules be suspended and that Council Joint Memorial No. 4 be considered referred and read a third time in full preparatory to its passage and that the said memorial do now pass, which motion prevailed, and the Speaker declared said memorial to have passed the House.

The Speaker announced having signed the following:

Council Joint Memorial No. 2, "to the Congress of the United States, requesting the passage of House Bill No. 15442, etc."

Council Joint Memorial No. 3, "Relative to the Carey Act."

Council Joint Resolution No. 4, "Providing for supplying the members of the Council and the House with Compiled Laws of 1897, in Spanish and English."

Council Joint Resolution No. 5, "Relative to supplying the members of the Council and House with the Laws of 1899, 1901, 1903, 1905, 1907, and copies of the Journal of 1907, etc."

Council Joint Resolution No. 6, "With reference to printing of rules."

Council Joint Resolution No. 7, "Declaring Lincoln's birthday a legal holiday in the Territory of New Mexico."

Council Joint Resolution No. 8, "Relative to the payment of Legislative expenses."

House Bill No. 3, "An act entitled an act fixing the time for holding the District Court in the Fifth Judicial District, in the Territory of New Mexico."

The following messages from the Governor were read:

"Message No. 4.

Santa Fe, New Mexico, February 2nd, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following: Council Joint Memorial No. 2, 'relative to small holding claims'; Council Joint Memorial No. 3, 'Carey Act'; Council Joint Resolution No. 4, 'supplying Compiled Laws to members'; Council Joint Resolution No. 5, 'supplying Session Laws and Journals to members'; Council Joint Resolution No. 6, 'printing rules'; Council Joint Resolution No. 7, 'declaring February 12th a legal holiday'; Council Joint Resolution No. 8, 'providing for payment of employees.'

I am, Gentlemen,

Respectfully yours,

GEORGE CURRY,  
Governor of New Mexico."

"Message No. 5.

Santa Fe, New Mexico, February 2nd, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following: House Bill No. 3, 'An act fixing the time for holding the terms of the District Court in the Fifth Judicial District of the Territory of New Mexico.'

I am, Gentlemen,

Respectfully yours,

GEORGE CURRY,

Governor of New Mexico."

Mr. Chavez (Sierra) moved that the House do now adjourn until tomorrow morning at ten o'clock.

Mr. Davidson moved as an amendment to the motion of Mr. Chavez (Sierra), that the House take a recess until two o'clock this afternoon, and the roll call being demanded, resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Chavez (Bernalillo), Sweezy, Davidson, Martinez, Moffett, Mullens, Roberts, Stackhouse, Tipton, Mr. Speaker—14.

Nays—Blattman, Brown, Chavez (Sierra), Gallegos, Garcia, Mirabal, Pacheco, Sanchez, Valdez—9.

Said amendment prevailed and the House took a recess until two o'clock this afternoon.

#### AFTERNOON SESSION.

The House met pursuant to recess, with the Speaker in the chair.

All members being present, the House proceeded to business.

By unanimous consent Mr. Baca introduced House Joint Memorial No. 1, entitled "A joint memorial to the Senate and House of Representatives of the United States in Congress assembled, praying the approval of Chapter 92 of the Acts of the Thirty-seventh Legislative Assembly of the Territory of New Mexico, and for other purposes."

By request, House Joint Memorial No. 1 was read in full for information.

Mr. Baca moved that the rules be suspended and that House Joint Memorial No. 1 be considered read a first and second times by title, translated, printed and referred, and read a third time in full preparatory to its passage, which motion prevailed.

Under further suspension of the rules, Mr. Baca moved that House Joint Memorial No. 1 do now pass, which motion prevailed,

and the Speaker declared said joint memorial to have passed the House.

By unanimous consent the following bills were introduced:

House Bill No. 87, introduced by Mr. Roberts, "An act relating to improvement districts in cities and incorporated towns." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 88, introduced by Mr. Brice, "An act entitled an act in regard to garnishment proceedings." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

A communication addressed to the Speaker from the New Mexico Historical Society extending to the members and officers of the House an invitation to visit the rooms of said Society, this evening at eight o'clock, was read.

Under the order of business on the Speaker's table the following Council Bills were taken up, read a first and second time by title and referred:

Council Substitute for Council Bill No. 3, entitled "An act relative to the unauthorized wearing or use of badges, names, titles of officers, insignias, etc." Referred to the Committee on Insurance.

Council Bill No. 34, "An act for the repression of contagious and infectious diseases among cattle, horses, mules, and asses, and to provide for the extirpation of such diseases and to protect the public health." Referred to the Committee on Internal Improvements.

Council Bill No. 42, "An act entitled an act for the establishment of a herd law." Referred to the Committee on Territorial Affairs.

Mr. Martinez moved that the House do now adjourn until tomorrow morning at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.



JOURNAL OF THE HOUSE  
**THIRTEENTH DAY.**

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MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 4th, 1909.  
Thursday, 10:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.

Prayer by the Chaplain.

Journal of the twelfth day read in full.

During the reading of the Journal in Spanish the following message from the Council was announced:

"Mr. Speaker:

The Honorable Council instructs me to inform this Honorable Body that it has duly passed Council Bill No. 35, 'An act entitled an act to prohibit the desecration of graves, etc.,' and requests the concurrence of this Honorable Body in the same."

Mr. Moffett requested that the roll call on the passage of Council Joint Resolution No. 9 be added to the journal of the twelfth day and it was so ordered by the Speaker.

Mr. Blattman moved that the journal of the twelfth day, as corrected, be approved, which motion prevailed.

House Petition No. 11, presented by Mr. Bushkevitz, from the citizens of Union, San Miguel and Mora counties, asking that they be recognized in their demands for the creation of Bent county. Read first and second times by title and referred to the Committee on Counties and County Lines.

House Petition No. 12, presented by Mr. Mullens, in reference to artesian wells. Read first and second times by title and referred to the Committee on Judiciary.

The following report of the Committee on Judiciary was read:

"Mr. Speaker:

Your Committee on Judiciary to whom has been referred House Bill No. 30, 'An act relative to the sale of a portion of a stock of merchandise other than in the ordinary course of trade, and for other purposes, and providing a penalty,' has had the same under consideration, and I am directed to report the said bill to the House with a recommendation that it be passed.

MR. ROBERTS, Chairman."

On motion of Mr. Blattman the report was adopted.

On motion of Mr. Blattman, duly seconded and carried, the rules were suspended and House Bill No. 30 was read a third time in full, preparatory to its passage.

Under further suspension of the rules Mr. Blattman moved that House Bill No. 30 do now pass, and the roll being called, resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Jr., Sweezy, Tipton, Walters, Mr. Speaker—21.

Nays—Brown, Gallegos, Valdez—3.

The result being in the affirmative, the Speaker declared House Bill No. 30 to have passed the House.

The following bills were introduced:

House Bill No. 89, introduced by Mr. Mullens, "An act to regulate the use of artesian wells and storage reservoirs connected therewith, and preventing the waste-flow of water, and for other purposes, and to repeal Chapter 17 of the Laws of 1905." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

By unanimous consent Mr. Baca presented a joint committee report.

House Bill No. 90, introduced by Mr. Chavez (Bernalillo), by request, "An act to define and punish the larceny of gas and electricity and the appliances for the use of the same." Read first and second times by title, ordered translated and printed, and referred to the Committee on Corporations.

House Bill No. 91, introduced by Mr. Walters, "An act to provide for a vendor's lien on personal property." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 92, introduced by Mr. Chavez (Sierra), "An act requiring all foreigners coming to the Territory of New Mexico, and living together as man and wife to record with the probate clerk and ex-officio recorder of the county wherein they reside in New Mexico, a certificate of marriage properly authenticated and under seal of the authority performing the marriage ceremony showing said man and wife to have been lawfully married." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 93, introduced by Mr. Brice, "An act to define placer mining claims and to regulate the location thereof

in the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Mines and Public Lands.

House Bill No. 94, introduced by Mr. Sweezy, "An act to amend Section 9 of Chapter 97, of the Laws of the Thirty-seventh Legislative Assembly of the Territory of New Mexico, in relation to purchase and sale of school books and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Education.

Mr. Baca moved that the rules be suspended and that Council Joint Resolution No. 11 be withdrawn from the Committee on Finance, and that it be read a third time in full preparatory to its passage, which motion prevailed.

Council Joint Resolution No. 11 was read in full.

Under further suspension of the rules Mr. Baca moved that Council Joint Resolution No. 11 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—24.

The result being in the affirmative the Speaker declared Council Joint Resolution No. 11 to have passed the House.

The following Council Bill on the Speaker's table was taken up for consideration:

Council Bill No. 35 "An act to prohibit the desecration of graves and to prevent the removal of deceased persons from cemeteries in the Territory of New Mexico." Read first and second times by title, and referred to the Committee on Territorial Affairs.

The report of the Joint Conference Committee, relating to the Capitol addition and Executive's mansion, was read as follows:

"Santa Fe, New Mexico, February 1, 1909.

Your Joint Committee to whom was referred the communication from the Governor, dated January 25th, 1909, relative to the Capitol addition and the executive residence, with the accompanying documents, respectfully reports as follows:

We have had a conference with the Governor and the Capitol Improvement Board, and in addition have conferred with Mr. Rapp, the architect of said board and have received a further written communication from said board, and have carefully considered the subject committed to us and report as follows:

The Legislature, at its last session by Chapter 67 of the Session Laws of 1907, providing for the enlargement of the Capitol building and the construction of a residence for the Governor and the purchase of a piece of land for the latter, which said land was in said act described. Under the terms of the said act the cost of construction of said Executive mansion was limited to the sum of \$10,000.00 and the amount to be paid for the land was fixed by said act at \$5,500.00, with provision for condemnation in case the land could not be bought for that price. The use of convict labor was granted to said board on the payment of costs of necessary guards. In order to raise the money for the purpose specified in said act bonds to the amount of \$50,000.00 were authorized.

Per report attached hereto said bonds were sold and produced the net sum of \$48,807.05, leaving the sum available for building the addition to the Capitol, after deducting \$5,500 for the land and \$10,000.00 for the Executive mansion, as provided by the act of 1907, only \$33,307.05.

From the report of the Capitol Improvement Board, and the statement made by the architect, it is shown that the plans finally adopted for the Executive mansion called for an expenditure of \$19,705.00 instead of \$10,000.00 appropriated by the Legislature; and the plan adopted for the addition to the Capitol calls for \$43,920.00 instead of \$33,307.05, the amount remaining available for that purpose, leaving a deficit, if the buildings are to be completed according to the present plans, of \$20,317.95.

The reasons set forth by the Capitol Improvement Board for such additional expenditures are heretofore attached.

A portion, namely, \$7,500.00 of this deficiency represents the difference in the construction of the Capitol extension as planned by the Capitol Improvement Board, which provides for an absolutely fire-proof building. If the building was constructed as the Capitol building originally, this item could be eliminated, but we do not deem it advisable to do so and believe it will be economy to make the building fire-proof.

Both of these buildings are too far advanced to admit of a change of plans; the foundations of the Capitol extension are completed and a large amount of the structural steel and other material required for the building is ordered and on the way to Santa Fe. The Executive mansion is enclosed. To attempt any change at this time would be unwise and impracticable. We have consulted with the architect and cannot ascertain any way by which the estimate can be reduced.

We therefore recommend that the sum of \$20,308.00, being the sum necessary to meet the deficiency, be appropriated for that purpose.

It further appears that in addition to the \$5,500.00 paid in cash for the land acquired, that there was a moral obligation entered into to pay \$3,500.00 additional for the land, when the Legislature should meet, and both the Governor and the Capitol Improvement Board recommend this payment, and state that the land is fully worth \$9,000.00. Under these circumstances we recommend an appropriation of \$3,500.00 to complete this additional payment.

It appears that the act of 1907 did not provide for the necessary expense for the remodeling of that portion of the present Capitol where the union of this building with the new addition will take place. The estimate of the architect for this work is \$3,500.00, and we recommend the appropriation to cover that expense.

Another matter has been brought before us which is not connected with the erection of the buildings authorized by the law of 1907, and is not referred to in that act. That is, the suitable furnishing of the Executive mansion for the occupation of the Governor. This building will probably be completed before the Legislature adjourns, and it is therefore proper that this subject should receive early consideration and we recommend the appropriation of \$6,000.00 for this purpose to be expended by the Capitol Custodian Commission.

We attach hereto the copies of the communication of His Excellency, the Governor, to the President of the Council and the several communications submitted to this committee, and respectfully ask that the House concur in this report.

Respectfully submitted,

R. L. BACA,

Chairman House Committee,

C. J. ROBERTS,

A. A. GALLEGOS.

On motion of Mr. Baca the report of the committee was adopted and the committee discharged.

By unanimous consent Mr. Mullens introduced the following bill:

House Bill No. 95, introduced by Mr. Mullens, "An act relating to the qualification of voters at school elections in this Territory." Read first and second times by title, ordered translated and printed and referred to the Committee on Education.

Mr. Blattman moved that the House do now take a recess until this afternoon at two-thirty, which motion prevailed.

### AFTERNOON SESSION.

The House met pursuant to recess with the Speaker in the chair. All members being present the House proceeded to business.

The Governor of the Territory of New Mexico was announced and addressed the House as follows:

"Mr. Speaker and Members of the House:

I understand from some of the members of your body that it is the intention to adjourn over until next week, and I thought possibly it best to call your attention to some matters before you took that action. As you are all possibly aware from press reports, our statehood bill is now pending in the House and will be very likely passed through the House within the next few days when it will then go to the United States Senate where, although we have a large majority in favor of the bill, there is a small but apparently determined minority, that are opposing it because they are unfamiliar with conditions that exist in our Territory; and I believe that if this Legislative Assembly would authorize the appointment of a small committee of prominent citizens of this Territory who could go back to Washington to assist our Delegate in fighting our battles, everything would be crowned with success. If they were not, we would at least have the satisfaction of knowing that we had done everything we possibly could do in the interest of giving the people of New Mexico self-government. In addition to the good this committee could do in the statehood battle, we have several other important matters pending in Washington the passage of which would mean so much to our Territory, the most important of which is the Carey Act. If that passes and becomes a law before this body adjourns you will then have to draw up certain rules and regulations accepting that trust, which is practically a gift of one million acres of land to the people of New Mexico. We have two companies representing several million dollars that are ready to take advantage of this act just as soon as it has passed Congress and has been accepted by your Honorable Body.

"One other matter of great importance to the people of the south is the Seventh Judicial District with headquarters in the city of Socorro; but the most important of all is a bill which is now being drawn and will be introduced in this body by your Honorable Speaker, and in the Council by Mr. Mechem, which I think means more to the people of New Mexico, if enacted into legisla-

tion, than anything that you have done for them before. It appropriates \$500,000; that it authorizes a bond issue of \$500,000 for public schools of the Territory of New Mexico. The interest and principal of this fund will be paid out of receipts from public lands. It will not cost the people of New Mexico one cent of the tax levy, and it will put our public schools in a position that they ought to be in. It is very well known that our educational institutions of New Mexico are rather top-heavy, and in many instances we have built the second story before the first; and I believe that if you gentlemen take this measure up and pass it that you will be blessed by the fathers and mothers that have children to educate and that those children that are growing up will point out to each one of you in years to come as the gentlemen that drew a bill giving something to the poor people of New Mexico.

"Now I think that these are matters that deserve your earnest consideration. If a bill of this kind should be passed it would require the approval of Congress, and with an intelligent committee in Washington to support our Delegate, there is no doubt in my mind but what Congress would approve this bill authorizing the bond issue, and we would have at least done something for our people, if we should fail to get statehood."

Mr. Baca moved that the House do now extend a vote of thanks to Governor George Curry for his kind remarks, and that a committee of two be appointed to escort him to his office, which motion prevailed.

Thereupon the Speaker appointed Messrs. Baca and Martinez as said committee.

By unanimous consent the following bills were introduced:

House Bill No. 96, introduced by the Speaker, "An act providing for an issue of bonds of the Territory of New Mexico for common school purposes." Read first and second times by title. Mr. Walters moved that the rules be suspended and that House Bill No. 96 be considered translated and printed and referred to the committee at once, as the same bill had been introduced in the Council and would there be translated and printed, which motion prevailed.

Said bill referred to the Committee on Finance.

House Bill No. 97, introduced by Mr. Chavez (Sierra), "An act to regulate the pay of jurors in the justice of peace courts in New Mexico and fixing the compensation of fees for jurors and witnesses appearing before justices' courts." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

Whereupon Messrs. Baca and Martinez returned and reported having performed the duties of the committee to extend thanks to the Governor, and asked that the committee be discharged, which request was granted.

Mr. Roberts moved that the House do now resolve itself into the Committee of the Whole for the purpose of considering the matter of the appointment of a committee to go to Washington to assist our delegate in Congress in securing statehood, which motion prevailed.

Whereupon the House resolved itself into the Committee of the Whole with Mr. Chavez (Sierra), in the chair.

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The Speaker resumed the chair and called the House to order.

Mr. Chavez (Sierra), chairman of the Committee of the Whole, reported having appointed the following as a committee to draw a resolution covering the appointment of the committee to visit Washington:

Messrs. Baca, Miera and Bushkevitz.

Mr. Walters moved that the House do now take a recess for fifteen minutes for the purpose of allowing said committee to draw such resolution, which motion prevailed.

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House called to order by the Speaker.

Mr. Baca presented House Joint Resolution No. 3, which was read in full as follows:

#### “HOUSE JOINT RESOLUTION NO. 3.

Providing for an appropriation of three thousand five hundred dollars to defray the expenses of a committee of seven men to be appointed by the Governor of New Mexico to immediately proceed to Washington, D. C., and work in the interests of the Territory of New Mexico for admission as a state during the present session of Congress, and any other matters which involve the welfare of New Mexico.

*Be it resolved*, That the sum of three thousand five hundred dollars, be and the same is hereby appropriated to defray the expenses of a committee of seven men, to be appointed by the Governor of New Mexico, to immediately proceed to Washington to work for the statehood enabling act and urge its passage during the present session of Congress, and at the same time to attend to all other matters now pending before Congress favorable to New Mexico. And, be it further

*Resolved*, That the above mentioned sum is hereby appropriated



out of any funds in the hands of the Territorial Treasurer except the interest and sinking funds and that said sum shall be placed in the hands of the Governor of New Mexico for the payment of the above mentioned expenses, and the Territorial Auditor is hereby directed to draw his warrant in behalf of the Governor of New Mexico, who shall disburse the money amongst the seven men to be appointed by him as members of this committee to defray their expenses for the purpose above stated, and the Territorial Treasurer is hereby directed to pay said warrant out of any funds in his hands, except the monies for the payment of interest and sinking funds on the Territorial debt, said money to be paid on presentation of auditor's warrant.

Mr. Baca moved that the rules be suspended and that House Joint Resolution No. 3 be considered read first and second times by title and a third time in full preparatory to its passage, which motion prevailed.

Mr. Sanchez moved that House Joint Resolution No. 3 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, and Mr. Speaker—23.

The result being in the affirmative, the Speaker declared said House Joint Resolution No. 3 to have passed the House.

The Speaker instructed the Sergeant at Arms to inform the Honorable Council that the House was now ready to meet in joint session.

The Sergeant at Arms announced the Council.

The President of the Council took the chair and announced the joint session duly assembled in pursuance to the joint resolution passed for said purpose.

Thereupon Hon. John B. McFie, Hon. Edgar L. Hewitt, and Hon. A. J. Abbott addressed the joint session.

Mr. Baca moved that a vote of thanks be extended to the gentlemen who addressed the joint session.

Mr. Catron moved that the joint session do now rise and that the Council return to its own chamber, which motion prevailed.

Upon the departure of the Council the Speaker resumed the chair and on motion of Mr. Blattman the House adjourned until Monday afternoon at two o'clock.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

## FOURTEENTH DAY.

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### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 8, 1909.  
Monday, 2:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Messrs. Stackhouse, Davidson and Tipton, excused, the House proceeded to business.

Prayer by the Chaplain.

Journal of the thirteenth day read in full in English.

During the reading of the journal in English a message from the Governor was received, and the following message from the Council was announced:

"Mr. Speaker:

The Honorable Council instructs me to inform this Honorable Body that it has duly passed Council Bill No. 41, 'An act entitled an act to punish the making or the use of false statements to obtain credit, and requests the concurrence of this Honorable Body in the same."

Mr. Sanchez moved that the reading of the journal in Spanish be dispensed with and that the same be approved as read, which motion prevailed.

Mr. Bushkevitz presented House Petition No. 12, from the citizens of Union county asking to be annexed to the proposed Bent county. Read first and second times by title and referred to the Committee on Counties and County Lines.

The following report of the Committee on Corporations was read:

"Santa Fe, New Mexico, February 14, 1909.

Mr. Speaker:

Your Committee on Corporations to whom has been referred Council Bill No. 4, has had the same under consideration and I am directed to report the said Council Bill No. 4 to the House with the recommendation that it be passed.

POWELL STACKHOUSE, Chairman."

The report was adopted on motion of Mr. Walters.

The following bills were introduced:

House Bill No. 98, introduced by Mr. Baca, "An act entitled an act relating to the re-building of the court house in the County

of Santa Fe." Read first and second times by title, ordered translated and printed and referred to the Committee on Capitol.

By request of Mr. Moffett the bill was read in full for information.

Mr. Moffett moved that House Bill No. 98 be referred to the Committee on Penitentiary, which motion was ruled out of order.

House Bill No. 99, introduced by Mr. Baca, "An act relating to the mileage of County Commissioners." Read first and second times by title, ordered translated and printed and referred to the Committee on Territorial Affairs.

House Bill No. 100, introduced by Mr. Baca, "An act to establish a museum for the Territory of New Mexico and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Capitol.

House Bill No. 101, introduced by Mr. Baca, "An act amending Section 2 of Chapter 11, of the Session Laws of the Thirty-third Legislative Assembly of the Territory of New Mexico relating to the classification of counties and the number of citizens to be obtained on a petition to build bridges." Read first and second times by title, ordered translated and printed and referred to the Committee on Counties and County Lines.

House Bill No. 102, introduced by Mr. Chavez (Sierra), "An act relating to the election of justices of the peace in the Territory of New Mexico and prescribing the time they shall be elected." Read first and second times by title, ordered translated and printed and referred to the Committee on Territorial Affairs.

House Bill No. 103, introduced by Mr. Sweezy, "An act to amend Section 2 of the Thirty-fifth Legislative Assembly of the Territory of New Mexico, relative to the election of city marshals in municipal corporations." Read first and second times by title, ordered translated and printed and referred to the Committee on Corporations.

House Bill No. 104, introduced by Mr. Garcia, "An act entitled an act to license people who allow in their houses dances or fandango for profit." Read first and second times by title, ordered translated and printed and referred to the Committee on Internal Improvements.

House Bill No. 105, introduced by Mr. Chavez (Bernalillo), "An act entitled an act to amend Section 1799 of the Compiled Laws of New Mexico for 1897." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 106, introduced by Mr. Mullens, "An act to

enable cities, towns and property owners to extend sewers and water systems." Read first and second times by title, ordered translated and printed and referred to the Committee on Internal Improvements.

House Bill No. 107, introduced by Mr. Gallegos, by request, "An act providing for the appointment of one or more police in unincorporated county seats and precincts containing a population of over two hundred inhabitants, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Corporations.

House Bill No. 108, introduced by Mr. Walters, "An act to provide for the management of the penitentiary." Read first and second times by title, ordered translated and printed, and referred to the Committee on Penitentiary.

House Bill No. 109, introduced by Mr. Blattman, "An act in reference to the issuance of licenses to drinkers of intoxicating liquors in the Territory of New Mexico, and for other purposes." Read first and second times by title, and in full for information, ordered translated and printed and referred to the Committee on Education.

House Bill No. 110, introduced by Mr. Blattman, "An act to establish a Territorial Roads Commission, providing for a system of public highways in the Territory of New Mexico, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Roads and Highways.

House Bill No. 111, introduced by Mr. Blattman, "An act to amend Section 21, of Chapter 97, of the acts of the Thirty-seventh Legislative Assembly of the Territory of New Mexico, entitled an act to revise and systematize the laws of the Territory of New Mexico." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 112, introduced by Mr. Blattman, "An act to amend Section 1 of Chapter 77, of the acts of the Thirty-sixth Legislative Assembly, entitled an act relative to bounties on wild animals." Read first and second times by title, ordered translated and printed and referred to the Committee on Territorial Affairs.

House Bill No. 113, introduced by Mr. Mirabal, "An act to amend Chapter 42 of the Session Laws of 1907." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

Council Bill No. 4 was taken up on its third reading.

On motion of Mr. Walters, duly seconded and carried, Council Bill No. 4 was read a third time in full preparatory to its passage.

Mr. Walters moved that Council Bill No. 4 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Valdez, Walters and Mr. Speaker—21.

The result being in the affirmative the Speaker declared Council Bill No. 4 to have passed the House.

The following business on the Speaker's table was taken up:

Council Bill No. 41, "An act to punish the making and use of false statements to obtain credit." Read first and second times by title and referred to the Committee on Judiciary.

A communication addressed to the Speaker from the Women's Christian Temperance Union was read requesting the use of the Hall of the House of Representatives for Wednesday night, February 11th, 1909.

On motion of Mr. Baca said request was granted.

The following message from the Governor of New Mexico was read:

"Message No. 6.

Santa Fe, New Mexico, February 6, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following: 'House Joint Resolution No. 3, providing an appropriation to defray the expenses of a statehood committee.'

I am, Gentlemen,

Respectfully yours,

GEORGE CURRY,

Governor of New Mexico."

A communication was read from C. V. Safford, Secretary Chairmen Boards of County Commissioners, addressed to Hon. E. A. Miera, Speaker of the House of Representatives, recommending proposed good roads and other legislation.

The Speaker announced having signed House Joint Resolution No. 3 providing an appropriation to defray the expenses of a statehood committee.

Mr. Walters moved that the House do now adjourn until tomorrow morning at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,

Speaker.

Attest:

E. H. SALAZAR,

Chief Clerk.

FIFTEENTH DAY.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 9, 1909.  
Tuesday, 10:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Messrs. Davidson, Stackhouse and Tipton, excused, the House proceeded to business.

Prayer by the Chaplain.

The journal of the fourteenth day was read in full and on motion of Mr. Valdez approved as read.

The following reports of the Committee on Counties and County Lines were read:

"Santa Fe, New Mexico, February 4th, 1909.

Mr. Speaker:

Your Committee on Counties and County Lines to whom has been referred House Bill No. 26. has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be passed.

JESUS C. SANCHEZ, Chairman.

Minority report: A. C. Pacheco, Jesus C. Sanchez."

"Santa Fe, New Mexico, February 4th, 1909.

Mr. Speaker:

Your Committee on Counties and County Lines to whom has been referred House Bill No. 26, has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be not passed.

JESUS C. SANCHEZ, Chairman."

Majority Report."

On motion of Mr. Brown the minority report was adopted.

By request of Mr. Brown House Bill No. 26 was read in full for information, in English.

Mr. Mirabal moved that the reading of the bill in Spanish be dispensed with, which motion prevailed.

Mr. Mirabal moved that the rules be suspended and that House Bill No. 26 be read a third time by title preparatory to its passage, which motion prevailed.

Under further suspension of the rules Mr. Mirabal moved that House Bill No. 26 do now pass.

Mr. Baker offered an amendment to House Bill No. 26 and asked that it be read for information.

Amendment read in full.

Mr. Valdez moved that said amendment to House Bill No. 26 be laid on the table indefinitely, which motion prevailed.

The question then recurring to the motion of Mr. Mirabal that House Bill No. 26 do now pass, the roll call resulted as follows:

Ayes—Baca, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Valdez and Mr. Speaker—18.

Nays—Baker, Walters—2.

The Speaker announced Mr. Brice paired with Mr. Davidson.

The result being in the affirmative the Speaker declared House Bill No. 26 to have passed the House.

Mr. Mirabal moved that the vote by which House Bill No. 26 passed the House be reconsidered and that the reconsideration be tabled indefinitely, which motion prevailed.

The following message from the Council was announced:

“Mr. Speaker:

The Honorable Council instructs me to inform this Honorable Body that it has duly passed Council Joint Memorial No. 5, ‘relative to insane asylums;’ also that it has concurred in the passage of House Joint Memorial No. 1; also that it has duly passed Council Bill No. 23, ‘prescribing the form and conditions of appearance bonds in the Territory of New Mexico;’ also Council Bill No. 30, ‘An act to validate and legalize all marriages;’ also Council Bill No. 33, ‘An act to amend Section 1, Chapter 80, of the Session Laws of 1907, ‘relating to estrays;’ also Council Bill No. 39, ‘An act fixing the time for holding the term of the District Courts for the Fourth Judicial District;’ also Council Bill No. 48, ‘An act to further amend Section 1532 of the Compiled Laws of 1897;’ also Council Bill No. 49, ‘An act authorizing corporations to purchase, etc., capital stock, etc.;’ also Council Bill No. 56, ‘An act authorizing certain cities in the Territory of New Mexico to extend and enlarge the limits of such city, and respectfully asks the concurrence of this Honorable Body in the same.”

House Bill No. 114, introduced by Mr. Brice, “An act relative to bringing stolen property into the Territory of New Mexico.” Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

Mr. Baca moved that the rules be suspended and that House Bill No. 96 be recalled from the Committee on Finance, which motion prevailed.

Mr. Roberts moved that the House do now resolve itself into the Committee of the Whole for the purpose of considering House Bill No. 96, which motion prevailed.

Whereupon the House resolved itself into the Committee of the Whole with Mr. Martinez in the chair.

The Speaker resumed the chair and called the House to order.

Mr. Martinez, Chairman of the Committee of the Whole, presented a report from said committee, which was read as follows:

"Santa Fe, New Mexico, February 9, 1909.

Mr. Speaker:

The Committee of the Whole to whom has been referred House Bill No. 96, providing for the issue of bonds to the amount of five hundred thousand dollars (\$500,000.00), for the benefit of the public schools of the Territory of New Mexico, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that House Substitute for House Bill No. 96 do now pass the House.

H. MARTINEZ, Chairman."

Report adopted on motion of Mr. Mirabal.

Mr. Baca moved that House Substitute for House Bill No. 96 be considered read a first and second times by title and a third time in full, and that it do now pass.

During the roll call it appearing that there was not a quorum present the Speaker directed the Sergeant at Arms to call the House.

Thereupon the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Valdez, Walters and Mr. Speaker—21.

The result being in the affirmative the Speaker declared House Substitute for House Bill No. 96 to have passed the House.

Mr. Brown moved that the House do now adjourn until tomorrow afternoon at two o'clock, which motion prevailed.

Approved:

E. A. MIERA,

Attest:

Speaker.

E. H. SALAZAR,  
Chief Clerk.



## SIXTEENTH DAY.

## AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
 Santa Fe, New Mexico, February 10th, 1909.  
 Wednesday, 2:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present except Mr. Stackhouse, excused, the House proceeded to business.

Prayer by the Chaplain.

Mr. Walters moved that the reading of the journal in English be dispensed with, which motion prevailed.

Mr. Mirabal moved that the reading of the journal in Spanish be dispensed with and that the same be approved as read, which motion prevailed.

The following reports of the standing committees were read:

"Santa Fe, New Mexico, February 10th, 1909.

Mr. Speaker:

Your Committee on Judiciary to whom has been referred House Bill No. 33, 'An act entitled an act to amend Section 7, Chapter 68, of the Laws of 1905,' has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

Report adopted on motion of Mr. Martinez.

Mr. Sanchez moved that the rules be suspended and that original House Bill No. 96 be tabled indefinitely, which motion prevailed.

"Santa Fe, New Mexico, February 9th, 1909.

Mr. Speaker:

Your Committee on Internal Improvements, to whom has been referred Council Bill No. 34, has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be passed.

JULIAN CHAVEZ, Chairman."

Report adopted on motion of Mr. Chavez.

"Santa Fe, New Mexico, February 10th, 1909.

Mr. Speaker:

Your Committee on Judiciary to whom has been referred House

Bill No. 13, entitled 'An act to prohibit the playing at games in public places,' has had the same under consideration and I am directed to report a substitute bill therefor, with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

Report adopted on motion of Mr. Blattman.

"Santa Fe, New Mexico, February 10th, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 51, 'An act entitled an act regarding the sale of territorial, county, school district and municipal bonds, prescribing the duties of certain public officials, and for other purposes,' has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

Report adopted on motion of Mr. Gallegos.

"Santa Fe, New Mexico, February 10th, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred House Bill No. 77, 'An act providing money for the completion of the Capitol and the Governor's mansion, etc.,' has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be passed.

W. D. TIPTON, Chairman."

Report adopted on motion of Mr. Walters.

"Santa Fe, New Mexico, February 10th, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred House Bill No. 43, 'providing for the acceptance of county debts in payment of county taxes,' has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be passed.

W. D. TIPTON, Chairman."

Report adopted on motion of Mr. Valdez.

"Santa Fe, New Mexico, February 10th, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred House Bill No. 69, 'relating to territorial indebtedness and the redemption thereof,' has had the same under consideration and I am

directed to report the said bill to the House with the recommendation that it be passed.

W. D. TIPTON, Chairman."

The following message from the Council was announced:

"Mr. Speaker:

The Honorable Council instructs me to inform this Honorable Body that it has concurred in the passage of House Substitute for House Bill No. 96, 'An act entitled an act to provide for an issue of bonds of the Territory of New Mexico for common school purposes;' also, that it has duly passed Council Bill No. 24, 'An act providing that all prisoners confined in county jails be compelled to work;' also that it has passed Council Resolution No. 6, 'relative to a joint session,' and respectfully asks the concurrence of this body therein."

Mr. Tipton moved that the report of the Committee on Finance on House Bill No. 69 be adopted, which motion prevailed.

"Santa Fe, New Mexico, February 10th, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred Joint Resolution No. 10, 'providing for the printing ordered by the Council and the House of the Thirty-eighth Legislative Assembly,' has had the same under consideration and I am directed to report said Joint Resolution to the House with the recommendation that it be passed.

W. D. TIPTON, Chairman."

Report adopted on motion of Mr. Martinez.

"Santa Fe, New Mexico, February 10th, 1909.

Mr. Speaker:

Your Committee on Capitol, to whom has been referred House Bill No. 100, 'An act to establish a museum for the Territory of New Mexico, and for other purposes,' has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be passed.

ROMAN L. BACA, Chairman."

Report adopted on motion of Mr. Baca.

Mr. Sanchez presented House Resolution No. 3, "providing for the inviting of Honorable W. F. Newell to deliver a paper on Abraham Lincoln." Read first and second times by title.

On motion of Mr. Sanchez, duly seconded and carried, the rules were suspended and House Resolution No. 3 was read a third time in full preparatory to its passage.

Under further suspension of the rules, Mr. Sanchez moved that House Resolution No. 3 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters and Mr. Speaker—23.

The result being in the affirmative the Speaker declared House Resolution No. 3 to have passed the House.

The following bills were introduced:

House Bill No. 115, introduced by Mr. Chavez (Sierra), by request, "An act to create Pyramid county." Read first and second times by title, ordered translated and printed and referred to the Committee on Counties and County Lines.

House Bill No. 116, introduced by Mr. Brice, "An act relative to affixing of false jurats." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 117, introduced by Mr. Martinez, by request, "An act to amend Sections 4 and 5 of Chapter 49, of the acts of the Thirty-seventh Legislative Assembly, entitled an act to conserve and regulate the uses and distribution of the waters of New Mexico; to create the office of Territorial Engineer; to create a Board of Water Commissioners, and for other purposes, approved March 19, 1907." Read first and second times by title, ordered translated and printed and referred to the Committee on Irrigation.

House Bill No. 118, introduced by Mr. Baca, "An act to amend Chapter 5 of the Laws of the Thirty-fifth Legislative Assembly of the Territory of New Mexico, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Insurance.

House Bill No. 119, introduced by Mr. Sanchez, "An act providing for the appointment of a district attorney in and for the County of McKinley." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 120, introduced by Mr. Roberts, "An act to regulate elections and to provide for non-partisan election boards and to punish certain crimes, to amend and repeal certain portions of the Compiled Laws of 1897 relating to election and for other purposes." Read first and second times by title, ordered trans-

lated and printed and referred to the Committee on Territorial Affairs.

House Bill No. 121, introduced by Mr. Roberts, "An act providing for the appointment and qualification of notaries public, prescribing their duties and fixing their fees, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Territorial Affairs.

House Bill No. 122, introduced by Mr. Blattman, "An act to prohibit the sale of intoxicating liquors in bawdy houses and dance halls and providing a penalty therefor." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 123, introduced by Mr. Tipton, "An act to amend Section 19 of Chapter 62 of the Acts of the Thirty-fourth Legislative Assembly of the Territory of New Mexico, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Finance.

House Bill No. 124, introduced by Mr. Walters, "An act to provide for an indeterminate sentence for persons convicted of certain felonies and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Penitentiary.

House Bill No. 125, introduced by Mr. Chavez (Sierra), "An act requiring the Boards of County Commissioners in the several counties in the Territory of New Mexico to divide the county thereof into suitable road districts, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Territorial Affairs.

House Bill No. 126, introduced by Mr. Bushkevitz, "An act to repeal Chapter 119 of the Laws of 1905, approved March 16, 1905, and to substitute the following act therefor." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

The following bills were taken up on their third reading:

House Bill No. 100 taken up and read a third time in full preparatory to its passage.

Mr. Walters offered an amendment to House Bill No. 100 which was read as follows:

By inserting after the word "follows" in the fourteenth line of Section 8 of the printed bill, the following: "Provided the City of Santa Fe appropriates a like amount to be expended in same

manner as the money appropriated by the Territory of New Mexico."

Mr. Baca moved that the motion of Mr. Walters be tabled indefinitely.

Mr. Mirabal moved that the motion of Mr. Baca be rejected and the roll call resulted as follows:

Ayes—Baker, Blattman, Garcia, Martinez, Mirabal, Moffett, Mullens, Sanchez, Valdez, Walters—10.

Nays—Baca, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Pacheco, Roberts, Sweezy, Tipton, and Mr. Speaker—12.

The Speaker announced Mr. Brown paired with Mr. Stackhouse.

Whereupon Mr. Brown appealed to the House upon the decision of the Speaker and the roll being called resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters—18.

Nays—Brown, Mirabal, Moffett, Mullens—4.

The result of the roll call on Mr. Mirabal's motion being in the negative, the same was lost.

Thereupon the question recurred upon Mr. Baca's motion to lay the amendment of Mr. Walters on the table indefinitely and the roll being called resulted as follows:

Ayes—Baca, Blattman, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Roberts, Sweezy, Tipton, Mr. Speaker—12.

Nays—Baker, Brown, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Valdez, Walters—11.

The result being in the affirmative the Speaker declared the amendment offered by Mr. Walters laid on the table indefinitely.

Mr. Brown offered an amendment to House Bill No. 100, which was read as follows:

Amend Section 6 by striking out the words "Territory of New Mexico" and inserting in lieu thereof "the City of Santa Fe."

Mr. Roberts moved that the amendment be tabled indefinitely and the roll being called resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Roberts, Sweezy, Tipton, Mr. Speaker—13.

Nays—Brown, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Valdez, Walters—10.

The result being in the affirmative the Speaker declared said amendment tabled indefinitely.

Mr. Roberts moved an amendment to House Bill No. 100, which was read as follows:

Amend Section 8 by striking out the words "the excavation and study of ancient ruins" in line twelve of said section, and that said section be further amended by striking out the words "and for incidental expenses" in lines thirteen and fourteen of said section.

Mr. Roberts moved that the said amendment be adopted, and the roll being called resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The result being unanimous, the Speaker declared said amendment adopted.

Mr. Roberts moved a further amendment to House Bill No. 100, which was read as follows:

Amend Section 2 by striking out the words "The Board of Education of the City" in line thirteen, and inserting in lieu thereof the words "Santa Fe Lodge No. 460 B. P. O. E."

Mr. Baca moved the adoption of said amendment, which motion prevailed.

Mr. Roberts moved a further amendment to House Bill No. 100, which was read as follows:

Amend Section 3 by striking out the words "is conducted in harmony with the management of the Museum of New Mexico herein established" in lines nine and ten, and inserting in lieu thereof the words "is used for legitimate purposes of that society, as a place of public exhibition, open to the public without charge."

Mr. Roberts moved the adoption of said amendment, which motion prevailed.

Mr. Roberts moved a further amendment to House Bill No. 100, which was read as follows:

"By inserting a new section to be known as Section 8½: Before the second annual appropriation hereunder shall be available it shall be incumbent on said board to present satisfactory evidence to the Governor of New Mexico that said Museum of New Mexico has been endowed by at least two hundred and fifty thousand dollars."

Mr. Baca moved that House Bill No. 100, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Moffett, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

Nays—Mirabal—1.

The result being in the affirmative the Speaker declared House Bill No. 100, as amended, to have passed the House.

Amended Council Joint Resolution No. 10 was taken up and read a third time in full preparatory to its passage.

Mr. Walters moved that Amended Council Joint Resolution No. 10 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Valdez, Walters, Mr. Speaker—22.

The result being in the affirmative the Speaker declared Amended Council Joint Resolution No. 10 to have passed the House.

House Substitute for House Bill No. 13 was taken up and read a third time in full preparatory to its passage.

Mr. Walters moved that House Substitute for House Bill No. 13 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Valdez, Walters, Mr. Speaker—17.

Nays—Baker, Bushkevitz, Gallegos, Pacheco, Sweezy, Tipton—6.

The result being in the affirmative the Speaker declared House Substitute for House Bill No. 13 to have passed the House.

Mr. Roberts moved that the vote by which House Substitute for House Bill No. 13 passed the House be reconsidered, and that the reconsideration be laid on the table indefinitely, which motion prevailed.

Council Bill No. 34 was taken up and read in full in English.

During the reading in Spanish Mr. Sanchez moved that the House do now adjourn until ten o'clock tomorrow morning and the roll call being demanded resulted as follows:

Ayes—Baca, Blattman, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Mirabal, Pacheco, Sanchez, Mr. Speaker—10.

Nays—Baker, Brice, Brown, Bushkevitz, Davidson, Martinez, Moffett, Mullens, Roberts, Sweezy, Tipton, Valdez, Walters—13.



Said motion being lost the reading in Spanish of Council Bill No. 34 continued.

During said reading a message from the Governor was received.

On the completion of the reading of Council Bill No. 34 in Spanish Mr. Gallegos moved that the House do now adjourn until tomorrow morning at ten o'clock and the roll call being demanded, resulted as follows:

Ayes—Blattman, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Walters, Mr. Speaker—11.

Nays—Baca, Baker, Brice, Brown, Bushkevitz, Davidson, Moffett, Mullens, Roberts, Sweezy, Tipton, Valdez—12.

The result being in the negative said motion was lost.

Mr. Bushkevitz moved that Council Bill No. 34 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Davidson, Moffett, Mullens, Roberts, Sweezy, Tipton—12.

Nays—Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Valdez, Walters, Mr. Speaker—11.

The result being in the affirmative, the Speaker declared Council Bill No. 34 to have passed the House.

Mr. Brown moved that the House do now adjourn until tomorrow morning at ten o'clock, which motion was lost.

Mr. Roberts moved that the vote by which Council Bill No. 34 passed the House be reconsidered and that the reconsideration be laid on the table indefinitely and the roll call being demanded, resulted as follows:

Ayes—Baca, Baker, Brice, Brown, Bushkevitz, Davidson, Moffett, Mullens, Roberts, Sweezy, Tipton—11.

Nays—Blattman, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Valdez, Walters, Mr. Speaker—12.

The result being in the negative the motion was lost.

Mr. Walters moved that the House do now adjourn until tomorrow morning at ten o'clock and the roll call being demanded resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—21.

Nays—Baca, Moffett—2.

The result being in the affirmative the House adjourned until tomorrow morning at ten o'clock.

Approved :

Attest :

E. H. SALAZAR,  
Chief Clerk.

E. A. MIERA,  
Speaker.

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## SEVENTEENTH DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 11th, 1909.  
Thursday, 10:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Messrs. Stackhouse and Roberts, excused, the House proceeded to business.

Prayer by the Chaplain.

Mr. Walters moved that the reading of the journal of the sixteenth day be dispensed with, and the roll call being demanded resulted as follows:

Ayes—Baca, Chavez (Bernalillo), Pacheco, Walters—4.

Nays—Baker, Blattman, Brice, Brown, Chavez (Sierra), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Sanchez, Sweezy, Tipton, Mr. Speaker—16.

Said motion being lost, the journal of the sixteenth day was read in full in English.

During the reading in English a message from the Governor was received.

Mr. Blattman moved that the reading of the journal of the sixteenth day be dispensed with, and that same be approved as read, which motion prevailed.

The following reports of standing committees were read:

“Santa Fe, New Mexico, February 9th, 1909.

Mr. Speaker:

Your Committee on Counties and County Lines, to whom has been referred House Bill No. 5, ‘Providing for the creation of Curry county,’ has had the same under consideration, and I am directed to report the said bill to the House with the recommenda-

tion that House Substitute for House Bill No. 5 do now pass the House.

JESUS C. SANCHEZ, Chairman."

Report adopted on motion of Mr. Baca.

"Santa Fe, New Mexico, February 11th, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred Council Bill No. 1, to reimburse citizens of Albuquerque, New Mexico, for expenditures made on account of armory, has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be passed.

W. D. TIPTON, Chairman."

Report adopted on motion of Mr. Martinez.

Mr. Sanchez moved that the rules be suspended and that original House Bill No. 5 be laid on the table indefinitely, which motion prevailed.

The following House Bills were introduced:

House Bill No. 127, introduced by Mr. Davidson, "An act entitled an act providing for the completion of the armory at Silver City." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 128, introduced by Mr. Brice, "An act providing for the completion of the territorial armory located at Roswell, New Mexico, and making an appropriation therefor." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 129, introduced by Mr. Pacheco, "An act to amend an act entitled an act to organize and equip a company of mounted police for the Territory of New Mexico, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 130, introduced by Mr. Pacheco, "An act to amend Section 1529 and Section 9, Chapter 97, of the School Laws of the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Education.

House Bill No. 131, introduced by Mr. Chavez (Sierra), "An act requiring persons who have received a patent or patents from the Government of the United States for townsites in the Territory of New Mexico to place the same on record with the probate clerk and ex-officio recorder wherein same is situate and for other

purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Mines and Public Lands.

House Bill No. 132, introduced by Mr. Sanchez, "An act providing for the leasing and assessment of sheep, horses, and cattle, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 133, introduced by Mr. Tipton, "An act to amend Section 2138 of the Compiled Laws of the Territory of New Mexico for the year 1897." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 134, introduced by Mr. Tipton, "An act providing for the completion of the territorial armory, located at Las Cruces, New Mexico, and making an appropriation therefor." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 135, introduced by Mr. Sweezy, "An act providing for an appropriation to cover the expenses of completing the armory at Las Vegas, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 136, introduced by Mr. Sweezy, "An act defining the powers of the several district courts of the Territory of New Mexico in reference to the care, treatment, and control of dependent, neglected, incorrigible, and delinquent children, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 137, introduced by Mr. Valdez, "An act to amend an act entitled an act to create the County of Torrance, approved February 2, 1905, being Chapter 2 of the Laws of 1905." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

The following bills were taken up on their third reading:

House Substitute for House Bill No. 5 taken up and read in full in English.

Mr. Blattman moved that the reading in Spanish be dispensed with, which motion prevailed.

Mr. Sanchez moved that House Substitute for House Bill No. 5 do now pass.

Mr. Baca moved an amendment to the motion of Mr. Sanchez,

that the rules be suspended and that House Substitute for House Bill No. 5 be considered read a first and second times by title and in full, which motion prevailed.

Mr. Sanchez moved that House Substitute for House Bill No. 5 do now pass and the roll call resulted as follows:

Ayes—Baca, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—18.

Nays—Baker, Moffett—2.

The Speaker announced Mr. Brice paired with Mr. Stackhouse and Mr. Mullens paired with Mr. Roberts.

Mr. Baca moved that the vote by which House Substitute for House Bill No. 5 passed the House be reconsidered and that the reconsideration be laid on the table indefinitely, which motion prevailed.

Council Bill No. 1 was taken up and read in full.

Mr. Martinez moved that Council Bill No. 1 do now pass.

Mr. Moffett offered an amendment which was read as follows:

“Strike out all of Section No. 2 and insert a new section providing for additional appropriations for armories at Las Vegas, Las Cruces, Santa Fe, and Silver City, and add another section to said bill, viz.:

Section 2. That there be, and hereby is, appropriated out of any funds in the hands of the Territorial Treasurer except funds for the payment of interest on the public debt, the sum of \$5,000 for the Armory at Las Vegas; \$7,500 for the Armory at Roswell; \$5,000 for the Armory at Las Cruces, and \$5,000 for the Armory at Silver City for the purpose of completing and furnishing said Armories. And the Territorial Auditor is hereby directed and ordered to draw his warrant on the Territorial Treasurer in the said sum payable to the Treasurer of the Armory Boards of each of said Armories upon presentation of a certified copy of this act.

Section 3. That this act shall be in full force and effect from and after its passage and approval.”

Mr. Baca moved that the amendment be tabled indefinitely which motion prevailed.

Mr. Martinez moved that Council Bill No. 1 do now pass and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Mullens, Pacheco, Sanchez, Sweezy, Tipton, Valdez, Walters,  
—19.

Nays—Gallegos—1.

Mr. Moffett paired with Mr. Roberts.

The Speaker did not vote as he was interested in the passage of said bill.

The result being in the affirmative the Speaker declared Council Bill No. 1 to have passed the House.

House Bill No. 77 was taken up and read in full.

Mr. Baca moved that House Bill No. 77 do now pass.

During the roll call it appearing that there was not a quorum present, the Speaker directed the Sergeant at Arms to call the House.

Thereupon the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Chavez (Bernalillo), Davidson, Sweezy, Tipton, Walters, Mr. Speaker—10.

Nays—Blattman, Brown, Chavez (Sierra), Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Valdez—10.

Mr. Moffett paired with Mr. Roberts and Mr. Mullens paired with Mr. Stackhouse.

Said motion was lost.

Mr. Brown moved that the House do now take a recess until two o'clock this afternoon, which motion prevailed.

#### AFTERNOON SESSION.

The House met pursuant to recess with the Speaker in the chair.

All members being present except Messrs. Roberts and Stackhouse the House proceeded to business.

The order of bills on their third reading was continued and the following bills were taken up.

House Bill No. 43 read in full.

Mr. Valdez moved that House Bill No. 43 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Moffett, Mullens, Pacheco, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—16.

Nays—Baker, Davidson, Garcia, Martinez, Mirabal, Sanchez—6.

The result being in the affirmative the Speaker declared House Bill No. 43 to have passed the House.

House Bill No. 69 read in full.

Mr. Tipton moved that House Bill No. 69 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Mar-

tinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The result being unanimous, the Speaker declared House Bill No. 69 to have passed the House.

House Bill No. 51 read in full.

Mr. Walters moved that House Bill No. 51 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The result being unanimous the Speaker declared House Bill No. 51 to have passed the House.

House Bill No. 37 read in full.

Mr. Mullens moved that House Bill No. 37 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The result being unanimous, the Speaker declared House Bill No. 37 to have passed the House.

The following message from the Governor was read:

“Message No. 7.

Santa Fe, New Mexico, February 9, 1909.

Mr Speaker:

I have the honor to inform you that I have this day signed the following:

Council Joint Resolution No. 11 providing for the printing and distribution to members of Congress of Council Joint Memorial No. 4.

Council Joint Resolution No. 9, Authorizing the Secretary of the Bureau of Immigration to furnish members of Congress with certain publications.

I am, gentlemen,

Respectfully yours,

NATHAN JAFFA,

Acting Governor of New Mexico.”

“Message No. 8.

Santa Fe, New Mexico, February 10th, 1909.”

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Joint Memorial No. 4, asking the immediate admission of New Mexico into the Union.

I am, Gentlemen,

Respectfully yours,

NATHAN JAFFA,  
Acting Governor of New Mexico."

The following Council Bills were taken up, read first and second times by title, and referred:

Council Bill No. 49, "An act to authorize corporations to purchase, etc., shares of corporation stock, etc." Referred to the Committee on Corporations.

Council Bill No. 48, "An act entitled an act to further amend Section 1532 of the Compiled Laws of 1897." Referred to the Committee on Education.

Council Bill No. 39, "An act for fixing the time for holding the terms of the District Court for the Fourth Judicial District of the Territory of New Mexico." Referred to the Committee on Judiciary.

Council Bill No. 30, "An act to validate and legalize all marriages celebrated during the year A. D., 1905, in the Territory of New Mexico." Referred to the Committee on Judiciary.

Council Bill No. 33, "An act to amend Section 1, Chapter 80, of the Session Acts of 1907, relating to estrays." Referred to the Committee on Live Stock.

Mr. Sanchez requested that a committee be appointed to escort Mr. W. F. Newell to the Hall of the House of Representatives to deliver the address on Abraham Lincoln in accordance with House Resolution No. 3.

Thereupon the Speaker appointed Messrs. Sanchez, Pacheco and Valdez as said committee.

After the address of Mr. W. F. Newell, Mr. Brown moved that the House do extend him a vote of thanks for his able address, which motion prevailed.

Mr. Brown moved that the House do now adjourn until Monday afternoon at two o'clock, and the roll call being demanded resulted as follows:

Ayes—Blattman, Brown, Bushkevitz, Chavez (Sierra), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Tipton, Valdez, Mr. Speaker—16.

Nays—Baca, Baker, Chavez. (Bernalillo), Sweezy, Walters—5.



The result being in the affirmative the House adjourned until Monday afternoon at two o'clock.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## EIGHTEENTH DAY.

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### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 15th, 1909.  
Monday, 2:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Mr. Moffett, excused, the House proceeded to business.

Prayer by the Chaplain.

Mr. Walters moved that the reading of the journal of the seventeenth day in English, be dispensed with, which motion prevailed.

Mr. Gallegos moved that the reading of the journal of the seventeenth day in Spanish, be dispensed with and that the same be approved by the Speaker after inspection, which motion prevailed.

The following reports of standing committees were read:

"Santa Fe, New Mexico, February 15, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred House Bill No. 70, regulating and prescribing the manner of disbursement of territorial funds, has had the same under consideration. and I am directed to report the said bill to the House, with the recommendation that it be passed.

W. D. TIPTON, Chairman."

Report adopted on motion of Mr. Martinez.

"Santa Fe, New Mexico, February 15, 1909.

Mr. Speaker:

Your Committee on Counties and County Lines, to whom has

been referred House Bill No. 101, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

JESUS C. SANCHEZ, Chairman."

Report adopted on motion of Mr. Davidson.

"Santa Fe, New Mexico, February 15th, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred House Bill No. 55, has had the same under consideration, and I am directed to report the said bill to the House, with the recommendation that it be passed.

W. D. TIPTON, Chairman."

Report adopted on motion of Mr. Walters.

"Santa Fe, New Mexico, February 15th, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 41, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

PRICE WALTERS, Chairman."

Report adopted on motion of Mr. Walters.

"Santa Fe, New Mexico, February 15th, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 65 has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

PRICE WALTERS, Chairman."

Report adopted on motion of Mr. Walters.

"Santa Fe, New Mexico, February 15th, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 29, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

PRICE WALTERS, Chairman."

Report adopted on motion of Mr. Davidson.

"Santa Fe, New Mexico, February 15, 1909.

Mr. Speaker:

Your Committee on Livestock, to whom has been referred House

Bill No. 64, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

JULIAN CHAVEZ, Chairman."

Report adopted on motion of Mr. Chavez (Sierra).

"Santa Fe, New Mexico, February 15, 1909.

Mr. Speaker:

Your Committee on Livestock, to whom has been referred House Bill No. 11, has had the same under consideration, and I am directed to report the said bill to the House, with the recommendation that it be passed.

JULIAN CHAVEZ, Chairman."

Report adopted on motion of Mr. Chavez (Sierra).

"Santa Fe, New Mexico, February 15, 1909.

Mr. Speaker:

Your Committee on Livestock, to whom has been referred House Bill No. 31, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed.

JULIAN CHAVEZ, Chairman."

Mr. Roberts moved that House Bill No. 31 be recommitted to the Committee on Livestock, and that the committee be instructed to report said bill for passage, which motion prevailed.

"Santa Fe, New Mexico, February 15, 1909.

Mr. Speaker:

Your Committee on Internal Improvements, to whom has been referred House Bill No. 46, has had the same under consideration, and I am directed to report the said bill to the House, with the recommendation that it be passed, so that the Catholic Church of Roy be donated twenty acres and other denominations twenty acres.

JULIAN CHAVEZ, Chairman."

Report adopted on motion of Mr. Chavez (Sierra).

"Santa Fe, New Mexico, February 15th, 1909.

Mr. Speaker:

Your Committee on Internal Improvements, to whom has been referred House Bill No. 104, as amended, has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be duly passed.

JULIAN CHAVEZ, Chairman."

Report adopted on motion of Mr. Chavez (Sierra).

"Santa Fe, New Mexico, February 15th, 1909.

Mr. Speaker:

Your Committee on Livestock, to whom has been referred Council Bill No. 33, has had the same under consideration, and I am directed to report the said Council Bill to the House with the recommendation that it be not passed.

JULIAN CHAVEZ, Chairman."

Report adopted on motion of Mr. Chavez (Sierra).

Mr. Chavez (Sierra), moved that Council Bill No. 33 be laid on the table indefinitely, and the roll call resulted as follows:

Ayes—Chavez (Sierra), Chavez (Bernalillo)—2.

Nays—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Davidson, Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—21.

The motion was lost and Council Bill No. 33 was recommitted to the Committee on Livestock.

House Resolution No. 5, "Providing for the indefinite postponement of bills having for their purpose the creation of new counties and providing how such bills may be subsequently considered." Read first and second times by title, and referred to the Committee on Counties and County Lines.

The Speaker called Mr. Gallegos to the chair.

The following House Bills were introduced:

House Bill No. 138, introduced by Mr. Chavez (Sierra), "An act permitting the sale of cider and wine made from apples and grapes grown in New Mexico without paying a license." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 139, introduced by Mr. Speaker, "An act appropriating money for the completion of the addition to the Capitol building and Executive mansion and for the cost of connecting the said Capitol building with the present Capitol building, and for other purposes." Read first and second times by title.

Mr. Miera moved that the rules be suspended and that House Bill No. 139 be considered translated, printed and referred, and that the same be read a third time in full preparatory to its passage, which motion prevailed.

House Bill No. 139 read in full in English and on motion of Mr. Martinez the reading in Spanish was dispensed with.

Under further suspension of the rules Mr. Miera moved that House Bill No. 139 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The result being unanimous, the Chair declared House Bill No. 139 to have passed the House.

The Speaker resumed the chair.

House Bill No. 140, introduced by Mr. Bushkevitz, by request, "An act to amend Section 3902 of the Compiled Laws of 1897." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 141 introduced by Mr. Baker, "An act to create a corporation committee for the regulation of railway, express, telegraph and telephone companies." Read first and second times by title, ordered translated and printed, and referred to the Committee on Corporations.

House Bill No. 142 introduced by Mr. Sanchez and Mr. Mullens, "An act to amend Section 21 of Chapter 97 of the Session Laws of 1907." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 143, introduced by Mr. Mullens, "An act to prohibit the marriage of Caucasians to Africans and prescribing a penalty." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 144, introduced by Mr. Roberts, "An act in relation to irrigation districts." Read first and second times by title, ordered translated and printed, and referred to the Committee on Irrigation.

House Bill No. 145, introduced by Mr. Bushkevitz, "An act amending sections 2575 and 2578 of the compiled laws of 1897, and creating district attorneys for the Counties of Mora and San Miguel." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 146, introduced by Mr. Sanchez, "An act to amend Section 35 of Chapter 89 of the Acts of the Thirty-Seventh Legislative Assembly." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

The Speaker called Mr. Blattman to the chair.

The following bills on their third reading were taken up:

House Bill No. 104 taken up and read in full.

During the reading of House Bill No. 104, the Speaker resumed the chair.

Mr. Bushkevitz offered an amendment to House Bill No. 104, which was read as follows:

"Add Section 3½ to this act. That it shall not apply to any ball or dance given for charitable purposes."

On motion of Mr. Bushkevitz amendment adopted.

Mr. Garcia moved that House Bill No. 104, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra) Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—21.

Nays—Mr. Tipton—1.

The result being in the affirmative the speaker declared House Bill No. 104, as amended, to have passed the House.

House Bill No. 46 taken up and read in full.

Mr. Bushkevitz moved that House Bill No. 46 be recommitted to the Committee on Internal Improvements, which motion prevailed.

House Bill No. 11 taken up and read in full.

Mr. Chavez (Sierra) moved that House Bill No. 11 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Sanchez, Tipton, Valdez, Walters, Mr. Speaker—17.

Nays—Blattman, Brice, Davidson, Roberts, Stackhouse, Sweezy—6

The result being in the affirmative, the Speaker declared House Bill No. 11 to have passed the House.

The following message from the Council was announced:

"Mr. Speaker:

The Council instructs me to inform this Honorable body that it has duly passed Council Substitute for Council Bills Nos. 36 and 37, 'An act relative to the fees of assessors and county collectors,' also that it has duly passed Council Bill No. 53 to regulate the practice of veterinary surgery, etc., and respectfully asks the concurrence of this Honorable Body therein.'

House Bill No. 64 taken up and read in full.

Mr. Roberts offered an amendment which was read as follows:

"Amend said act in line eight of section one by inserting after

the word "vacancy" the words "in the office of inspector."

Amendment adopted on motion of Mr. Roberts.

Mr. Chavez moved that House Bill No. 64 as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Brown, Chavez (Sierra), Gallegos, Mirabal, Mul-lens, Pacheco, Valdez, Walters—9.

Nays—Baker, Blattman, Brice, Chavez (Bernalillo), Davidson, Garcia, Martinez, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Mr. Speaker—13.

The result being in the negative the motion was lost.

Mr. Sanchez moved that the House do now adjourn until tomorrow morning at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## NINETEENTH DAY.

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### MORNING SESSION

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 16, 1909,  
Tuesday, 10 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Mr. Walters, excused, the House proceeded to business.

Prayer by the Chaplain.

The journal of the eighteenth day was read in full in English.

Mr. Garcia moved that the reading of the journal of the eighteenth day in Spanish be dispensed with, and that the same be approved as read, which motion prevailed.

House Petitions Nos. 16 and 17, presented by Mr. Chavez (Bernalillo), protesting against the extension of the limits of the City of Albuquerque. Read first and second times by title, and referred to the Committee on Corporations.

House Petition No. 18, presented by Mr. Moffett, "Asking the passage of a local option law and the prohibition of the sale of

liquor on Sunday." Read first and second times by title and referred to the Committee on Territorial Affairs.

The following reports of standing committees were read and adopted:

"Santa Fe, New Mexico, February 15, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred House Joint Memorial No. 1, has had the same under consideration, and I am directed to report that the said memorial has been enrolled and engrossed.

Powell Stackhouse, Jr.,  
Chairman."

"Santa Fe, New Mexico,, February 15, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills to whom has been referred House Joint Resolution No. 1, has had the same under consideration, and I am directed to report that the said Joint Resolution has been enrolled and engrossed.

Powell Stackhouse, Jr.,  
Chairman."

"Santa Fe, New Mexico, February 11, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs, to whom has been referred House Joint Resolution No. 2, has had the same under consideration, and I am directed to report the said resolution to the House with the recommendation that it be passed.

Silvestre Mirabal,  
Chairman."

"Santa Fe, New Mexico, February 11, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs, to whom has been referred House Bill No. 35, defining a lawful fence in the Territory of New Mexico has had the same under consideration, and I am directed to report said bill to the House, with the recommendation that it do pass.

Silvestre Mirabal,  
Chairman."

"Santa Fe, New Mexico, February 11, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs to whom has been re-



ferred Council Bill No. 35, "An act to prohibit the desecration of graves, etc.," has had the same under consideration, and I am directed to report the said Council Bill No. 35 to the House with the recommendation that it be passed.

Silvestre Mirabal,  
Chairman."

"Santa Fe, New Mexico, February 15, 1909.

Mr. Speaker:

Your Committee on Mines and Public Lands to whom has been referred House Bill No. 93, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

H. M. Sweezy,  
Chairman."

"Santa Fe, New Mexico, February 15, 1909.

Mr. Speaker:

Your Committee on Mines and Public Lands, to whom has been referred House Bill No. 28, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

H. M. Sweezy,  
Chairman."

"Santa Fe, New Mexico, February 15, 1909.

Mr. Speaker:

Your Committee on Railroads, to whom has been referred House Bill No. 32, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

Powell Stackhouse, Jr.,  
Chairman."

House Resolution No. 6, introduced by Mr. Valdez, barring and depriving one W. F. Wilcox of the Santa Fe Eagle from the privilege of entering the Hall of the House of Representatives, read first and second times and in full for information.

By request of Mr. Brown an article in the Santa Fe Eagle by Mr. Wilcox was read.

The following message from the Council was announced:

Mr. Speaker:

I am instructed by the Honorable Council to inform this Honorable Body that it has duly concurred in the passage of House Bill

No. 100, "An act to establish a museum for New Mexico, and for other purposes, with Council Amendments," also that it has duly passed Council Bill No. 17, "An act to regulate the sale by single transactions of mercantile stocks or establishments," also that it has duly passed Council Bill No. 44, "An act to amend Section 1971 of the Compiled Laws of 1897, and respectfully ask the concurrence of this Honorable Body therein.

Mr. Valdez moved that the rules be suspended and that House Resolution No. 6 be considered translated, printed and referred, and that it now be read a third time by title, preparatory to its passage, which motion prevailed, and the resolution was read a third time by title.

Mr. Valdez moved that House Resolution No. 6 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Bushkevitz, Chavez, (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—20.

Nays—Baker, Moffett, Mullens—3.

The result being in the affirmative the speaker declared House Resolution No. 6 to have passed the House.

The following bills on their third reading were taken up.

House bill No. 63 taken up and read in full.

Mr. Chavez (Sierra) moved that House Bill No. 62 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—21.

Nays—Pacheco—1.

The result being in the affirmative the speaker declared House Bill No. 62 to have passed the House.

House Bill No. 28 taken up and read in full.

Mr. Moffett moved that House Bill No. 28 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—21.

Nays—Pacheco—1.

The result being in the affirmative, the speaker declared House Bill No. 28 to have passed the House.

Mr. Blattman moved that the House do now take a recess until two o'clock this afternoon, which motion prevailed.

### AFTERNOON SESSION

The House met pursuant to recess with the Speaker in the chair.

There being a quorum present the House proceeded to business.

By unanimous consent the following bills were introduced:

House Bill No. 147, introduced by Mr. Moffett, "An act entitled an act to amend Section 27 of Chapter 104 of the Laws of 1907 relating to the removal of timber from public lands of the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Mines and Public Lands.

House Bill No. 148, introduced by Mr. Moffett, "An act to repeal and substitute Section 37, Chapter 79, of the Laws of 1905, relating to transfer books and stock records of corporations; repealing part of Section 50, Chapter 79 of the Laws of 1905, and repealing Section 135, Chapter 79, Laws of 1905." Read first and second times by title, ordered translated and printed, and referred to the Committee on Corporations.

House Bill No. 149, introduced by Mr. Moffett, "An act entitled an act providing for the release of mortgage and trust deeds affecting real estate." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 150, introduced by Mr. Gallegos, "An act for the relief, care and support of the poor, aged and infirm, and authorizing the establishment of a poor farm in the Counties of this Territory." Read first and second times by title, and on request of Mr. Blattman in full for information. Ordered translated and printed and referred to the Committee on Finance.

The following bills on their third reading were taken up:

House Bill No. 93 taken up and read in full.

A message from the Governor was received.

Mr. Brice moved that House Bill No. 93 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkowitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—23.

The result being unanimous, the speaker declared House Bill No. 93 to have passed the House.

House Joint Resolution No. 2 taken up and read in full.

Mr. Sanchez moved that House Joint Resolution No. 2 do now pass, and the roll being called resulted as follows:

Ayes—Baker, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez, (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Valdez, Mr. Speaker—16.

Nays—Baca, Brice, Davidson, Roberts, Stackhouse, Sweezy, Tipton—7.

The result being in the affirmative the speaker declared House Joint Resolution No. 2 to have passed the House.

House Bill No. 54 taken up and read in full.

The following message from the Council was announced:

“Mr. Speaker.

The Honorable Council has instructed me to announce to this Honorable House of Representatives, that it has duly passed Council Substitute for Council Bill No. 61, “An act for the settlement and adjustment of claims against public officers, and for other purposes,” and asks the concurrence of this Honorable Body therein.”

Mr. Brown moved that House Bill No. 54 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez, (Sierra), Davidson, Gallegos, Mirabal, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Mr. Speaker—17.

Nays—Chavez (Bernalillo), Garcia, Martinez, Pacheco, Sanchez, Valdez—6.

The result being in the affirmative the speaker declared House Bill No. 54 to have passed the House.

House Bill No. 29 taken up and read in full.

Mr. Valdez moved that House Bill No. 29 be tabled indefinitely.

Mr. Davidson moved an amendment to the motion of Mr. Valdez, that House Bill No. 29 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Brown, Bushkevitz, Davidson, Garcia, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Mr. Speaker—14.

Nays—Blattman, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Martinez, Mirabal, Pacheco, Sanchez, Valdez—9.

The result being in the affirmative the Speaker declared House Bill No. 29 to have passed the House.

House Bill No. 56 taken up, and the speaker announced that out of courtesy to Mr. Walters, who introduced the bill it would be passed until tomorrow.

House Bill No. 41 taken up and read a third time in full.

Mr. Sanchez moved that House Bill No. 41 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Bushkevitz, Chavez, (Sierra), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—21.

Nays—Baca, Chavez (Bernalillo)—2.

The result being in the affirmative, the speaker declared House Bill No. 41 to have passed the House.

Amended House Bill No. 100 taken up and the Council amendments read in full.

Mr. Mirabal moved that the House refuse to concur in the Council amendments and the roll call resulted as follows:

Ayes—Blattman, Brown, Chavez (Sierra), Garcia, Mirabal, Moffett, Mullens, Sanchez—8.

Nays—Baca, Baker, Bushkevitz, Chavez (Bernalillo), Davidson, Gallegos, Martinez, Pacheco, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—14.

The Speaker announced Mr. Brice paired with Mr. Walters.

Said motion was lost.

Mr. Baca moved that the House do now concur in the Council amendments to House Bill No. 100, and the roll call resulted as follows:

Ayes—Baca, Baker, Bushkevitz, Chavez (Sierra), Davidson, Pacheco, Roberts, Stackhouse, Sweezy—9.

Nays—Blattman, Brown, Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Sanchez, Tipton, Valdez, Mr. Speaker—13.

The speaker announced Mr. Brice paired with Mr. Walters.

Said motion was lost.

Mr. Mirabal moved that the speaker appoint a Committee of three to confer with a like committee of the Council upon House Bill No. 100, which motion prevailed.

Thereupon the speaker appointed as said committee Messrs. Mirabal, Baca and Brice.

House Bill No. 101 taken up and read a third time in full.

Mr. Mullens moved that House Bill No. 101 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—22.

The speaker announced Mr. Brice paired with Mr. Walters.

The result being in the affirmative, the speaker declared House Bill No. 101 to have passed the House.

House Bill No. 70 taken up and read in full.

Mr. Tipton moved that House Bill No. 70 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—23.

The result being unanimous the speaker declared House Bill No. 70 to have passed the House.

Mr. Chavez (Bernalillo) moved that the House do now adjourn until tomorrow at ten o'clock.

Mr. Blattman moved an amendment to the motion of Mr. Chavez, that the House do now adjourn until tomorrow at two o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## TWENTIETH DAY.

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### AFTERNOON SESSION

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 17, 1909,  
Wednesday, 2 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Mr. Stackhouse, excused, the House proceeded to business.

Prayer by the Chaplain.

The journal of the nineteenth day was read in full in English.

Mr. Blattman moved that the reading of the journal of the

nineteenth day in Spanish be dispensed with, and that the same be approved as read, which motion prevailed.

House Petition No. 19, presented by Mr. Valdez, in support of House Bill No. 33. Read first and second times by title, and by request of Mr. Valdez in full for information, and referred to the Committee on Roads and Highways.

House Petition No. 20, presented by Mr. Mullens, a memorial from the City of Roswell favoring the passage of House Bill No. 106. Read first and second times by title and referred to the Committee on Internal Improvements.

The following reports of Standing Committees were read and adopted:

"Santa Fe, New Mexico, February 17, 1909.

Mr. Speaker:

Your Committee on Judiciary to whom has been referred House Bill No. 10, "An act entitled an act amending Section 2 of Chapter 32 of the acts of the Thirty-fifth Legislative Assembly, and for other purposes," has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. Roberts,  
Chairman."

"Santa Fe, New Mexico, February 16, 1909.

Mr. Speaker:

Your Committee on Corporations, to whom has been referred House Bill No. 63, has had the same under consideration, and I am directed to report the said House Bill to the House with the recommendation that it be not passed.

Powell Stackhouse, Jr.,  
Chairman."

"Santa Fe, New Mexico, February 16, 1909.

Mr. Speaker:

Your Committee on Corporations, to whom has been referred Council Bill No. 49, has had the same under consideration, and I am directed to report the said Council Bill to the House with the recommendation that it be passed.

Powell Stackhouse, Jr.,  
Chairman."

The following message from the Council was announced:

Mr. Speaker:

I am directed by the Honorable Council to inform this Hon-

orable Body that it has complied with the request for a conference Committee on House Bill No. 100.

"Santa Fe, New Mexico, February 16, 1909.

Mr. Speaker:

Your Committee on Corporations, to whom has been referred House Bill No. 90, has had the same under consideration, and I am directed to report the said House Bill to the House with the recommendation that it be passed.

Powell Stackhouse, Jr.,  
Chairman."

"Santa Fe, New Mexico, February 16, 1909.

Mr. Speaker:

Your Committee on Corporations to whom has been referred House Bill No. 86, has had the same under consideration, and I am directed to report the said House Bill to the House with the recommendation that it be referred to the Judiciary Committee.

Powell Stackhouse, Jr.,  
Chairman."

House Bill No. 86 was recommitted to the Committee on Judiciary.

"Santa Fe, New Mexico, February 17, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 80, "An act entitled an act to provide for recording of certified copies of patents issued by the United States for land, has had the same under consideration, and I am directed to report the said bill with the recommendation that it be passed.

C. J. Roberts,  
Chairman."

"Santa Fe, New Mexico, February 17, 1909.

Mr. Speaker:

Your Committee on Judiciary to whom has been referred House Bill No. 73, "An act entitled an act to amend Sections 1774 and 1775 of the Compiled Laws of 1897, relating to fees of Justices of the Peace and Constables, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed with the following amendments:

- 1.—Strike out the word "\$1.00" after the words "for presiding in felony trials" and insert in lieu thereof the following "\$3.00."
- 2.—Amend Section 1 by inserting on page 3 after the word



"writing" in the clause "for taking and certifying acknowledgment to any instrument of writing for each person," the words "except in the case of appearance bonds."

3.—Amend the last clause on page 3 by striking out the words "per day" and "\$2.50" and inserting the following "for certificate, 50c, for each 100 words, 15c."

4.—By striking out the words "greater amount" in the third line at the bottom of page six and inserting in lieu thereof "excess over \$50.00."

5.—By striking out the word "greater" in the eighth line on page seven and inserting in lieu thereof the word "excess."

All of which amendments have been inserted in the bill hereto attached.

C. J. Roberts,  
Chairman."

"Santa Fe, New Mexico, February 17, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 114, "An act entitled an act relative to bringing stolen property into the Territory has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. Roberts,  
Chairman."

"Santa Fe, New Mexico, February 17, 1909.

Mr. Speaker:

Your Committee on Roads and Highways to whom has been referred House Bill No. 110, has had the same under consideration and I am directed to report the said Bill to the House, with the recommendation that it be passed.

W. L. Blattman,  
Chairman."

"Santa Fe, New Mexico, February 17, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 75 has had the same under consideration, and I am directed to report the bill to the House with the recommendation that it be passed.

Price Walters,  
Chairman."

"Santa Fe, New Mexico, February 17, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 45 has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that House Substitute for House Bill No. 45 do pass the House.

Price Walters,  
Chairman."

"Santa Fe, New Mexico, February 17, 1909.

Mr. Speaker:

Your Committee on Education to whom has been referred House Bill No. 82, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

Price Walters,  
Chairman."

"Santa Fe, New Mexico, February 17, 1909.

Mr. Speaker:

Your Committee on Education to whom has been referred House Bill No. 68, has had the same under consideration, and I am directed to report said bill to the House with the recommendation that it be passed.

Price Walters,  
Chairman."

"Santa Fe, New Mexico, February 17, 1909,

Mr. Speaker:

Your Committee on Finance to whom has been referred House Bill No. 52, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

W. D. Tipton,  
Chairman."

"Santa Fe, New Mexico, February 17, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred House Bill No. 78, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

W. D. Tipton,  
Chairman."

"Santa Fe, New Mexico, February 17, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred House Bill No. 83, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

W. D. Tipton,  
Chairman."

"Santa Fe, New Mexico, February 17, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills to whom has been referred House Substitute for House Bill No. 96, has had the same under consideration, and I am directed to report that the said Substitute has been properly enrolled and engrossed.

Powell Stackhouse, Jr.,  
Chairman."

House Resolution No. 7 introduced by Mr. Sanchez, requiring a two-thirds vote of the House on all bills appropriating money. Read first and second times by title, and in full for information.

Mr. Sanchez moved that the rules be suspended and that House Resolution No. 7 be considered translated, printed and referred, and that it now be read a third time by title, preparatory to its passage, which motion prevailed, and the resolution was read a third time by title.

Mr. Sanchez moved that House Resolution No. 7 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Galegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

Nays—Brice—1.

The result being in the affirmative the speaker declared House Resolution No. 7 to have passed the House.

Mr. Mirabal moved that the vote by which House Resolution No. 7 passed the House be reconsidered and that the reconsideration be laid on the table indefinitely, which motion prevailed.

The following bills were introduced:

House Bill No. 151, introduced by Mr. Martinez, "An act with reference to Probate Judges." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 152, introduced by Mr. Mullens, "An act to establish a sub-fire station at the New Mexico Military Institute at Roswell and providing for the management thereof." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 153, introduced by Mr. Davidson, "An act amending Chapter 34 to the Acts of the Thirty-seventh Legislative Assembly of the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 154, introduced by Mr. Davidson, "An act amending Chapter 103 of the Acts of the Thirty-fifth Legislative Assembly and Chapter 34 of the Acts of the Thirty-seventh Legislative Assembly, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

The following business on the speaker's table was taken up:

Council Substitute for Council Bill No. 61, "An act for the settlement and adjustment of claims against public officers, and for other purposes." Read first and second times by title, and referred to the Committee on Territorial Affairs.

Council Bill No. 24, "An act providing that all persons confined in County Jails be compelled to work and for other purposes." Read first and second times by title, and referred to the Committee on Territorial Affairs.

Council Joint Memorial No. 5, relative to insane asylums. Read first and second times by title, and referred to the Committee on Territorial Affairs.

Council Substitute for Council Bills Nos. 36 and 37, "An act relative to the fees of assessors and county collectors." Read first and second times by title, and referred to the Committee on Finance.

The following message from the Council was announced:

"Mr. Speaker:

The Honorable Council has instructed me to announce to the Honorable House of Representatives of the 38th Legislative Assembly of the Territory of New Mexico, that it has duly passed House Bill No. 101, "An act entitled an act to amend Section 2 of Chapter 11 of the Session Laws of the 33rd Legislative Assembly of the Territory of New Mexico relative to classification of counties, and respectfully asks the concurrence of this Honorable Body therein."

Council Bill No. 23, "An act prescribing the form and conditions of appearance bonds in the Territory of New Mexico." Read first and second times by title, and referred to the Committee on Judiciary.

Council Bill No. 53, "An act to regulate the practice of veterinary surgery and for other purposes," Read first and second times by title and referred to the Committee on Live Stock.

Council Bill No. 44, "An act amending Section 1971 of the Compiled Laws of 1897." Read first and second times by title and referred to the Committee on Judiciary.

Mr. Brice moved that the House do now take a recess subject to the call of the speaker, which motion prevailed.

The House was called to order by the speaker.

Council Bill No. 17, "An act to regulate the sale by single transactions of mercantile stocks and establishments." Read first and second times by title, and referred to the Committee on Judiciary.

Council Bill No. 56, "authorizing certain cities to enlarge limits." Read first and second times by title, and referred to the Committee on Counties and County Lines.

The following messages from the Acting Governor of New Mexico were read:

"Message No. 9.

Santa Fe, New Mexico, February 16, 1909,

Mr. Speaker:

I have the honor to inform you that I have this day signed the following: Council Bill No 4. "An act to validate the attempted incorporation of cities and incorporated towns, and contracts and acts already made and done thereunder.'

I am, gentlemen, respectfully yours,

Nathan Jaffa,

Acting Governor of New Mexico."

"Message No. 10.

"Santa Fe, New Mexico, February 17, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following: Council Bill No. 1, 'An act providing for the reimbursement of certain citizens of Albuquerque, N. M., for expenditures made on account of construction of an armory in said city.'

I am, gentlemen, respectfully yours,

Nathan Jaffa,

Acting Governor of New Mexico."

The following message from the Council was announced:

"Mr. Speaker:

The Honorable Council instructs me to announce to the Honorable House of Representatives that it has failed to concur in the passage of House Bill No. 29, but that it has passed Council Substitute for House Bill No. 29, entitled 'An act to make the town of Silver City an independent school district,' and asks the concurrence of this Honorable Body in the same; that it has also passed Council Joint Resolution No. 15, relative to the Carnegie Foundation for Teachers, and also asks the concurrence of this Honorable Body in said Council Joint Resolution."

By unanimous consent the following report of the Conference Committee on House Bill No. 100 was read:

"To the President of the Council and Speaker of the House of Representatives. The Committee on Conference which has been appointed by the Legislative Council and House of Representatives to confer in reference to House Bill No. 100 and amendments thereof, respectfully report to their respective houses, that they have duly conferred in reference to the matters included in the said bill No. 100 and have agreed to pass the said bill as it came from the Council with an amendment to be made at the end of Section 3 in the following words, "The facts of which shall be judged by the Territorial Legislature."

Also with a further amendment to be added at the end of Section 9, and as a part of said Section in words as follows:

"The museum of New Mexico hereby established and all of its property of every kind and description shall be and remain the exclusive property of the Territory of New Mexico and any future Legislature shall have the right to amend, alter and repeal this act in whole or in part."

With these amendments the Committee on Conference which recommends their adoption, also recommends that the bill be passed and enacted into a law.

Silvestre Mirabal,

Chairman of the House Committee.

T. B. Catron,

Juan Navarro,

Roman L. Baca,

M. C. Mechem,

C. R. Brice.

Mr. Brown moved that the House do now resolve itself into

the Committee of the Whole, for the purpose of considering House Bill No. 100, which motion prevailed.

Whereupon the House resolved itself into the Committee of the Whole with Mr. Chavez (Bernalillo) in the chair.

The Speaker resumed the chair and called the House to order.

Mr. Chavez (Bernalillo), Chairman of the Committee of the Whole, reported House Bill No. 100 to the House with the recommendation that it be passed as amended.

Report adopted on motion of Mr. Baca.

Mr. Roberts moved that House Bill No. 100 as amended be now read a third time in full preparatory to its passage, which motion prevailed.

Bill read in full in English, and on motion of Mr. Martinez, the reading in Spanish was dispensed with.

Mr. Roberts moved that House Bill No. 100 as amended do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Chavez (Sierra), Davidson, Martinez, Mullens, Pacheco, Roberts, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—15.

Nays—Blattman, Brown, Chavez (Bernalillo), Garcia, Mirabal, Moffett, Sanchez—7.

The result being in the affirmative the Speaker declared House Bill No. 100 as amended to have passed the House.

Mr. Brown moved that the House do now adjourn until tomorrow at ten o'clock.

Mr. Blattman moved an amendment to the motion of Mr. Brown that the House do now adjourn until tomorrow at two o'clock, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Mullens, Roberts, Tipton, Mr. Speaker—14.

Nays—Brown, Bushkevitz, Moffett, Pacheco, Sanchez, Sweezy, Valdez—7.

The result being in the affirmative the House adjourned until tomorrow afternoon at two o'clock.

Approved:

E. A. Miera,  
Speaker.

Attest:

E. H. Salazar,  
Chief Clerk.

**TWENTY-FIRST DAY.**

**AFTERNOON SESSION.**

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 18, 1909.  
Thursday, 2:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Messrs. Stackhouse, Jr., and Moffett, excused, the House proceeded to business.

Prayer by the Chaplain.

Mr. Chavez (Sierra), moved that the reading of the journal of the twentieth day in English be dispensed with, which motion prevailed.

The journal of the twentieth day was read in full in Spanish.

Mr. Sanchez moved that the journal of the twentieth day be approved as read, which motion prevailed.

The following message from the Council was announced:

“Mr. Speaker:

I am instructed by the Honorable Council to inform this Honorable House of Representatives that it has concurred in the amendments to House Bill No. 100, as reported by the Joint Conference Committee, and as amended, House Bill No. 100 has been duly passed by the Council; and it further instructs me to announce that it has duly concurred in the passage of House Bill No. 30, by Mr. Roberts, ‘An act relative to the sale of a portion of a stock of merchandise and providing a penalty; also that it has duly passed Council Bill No. 14, by Mr. Mechem, ‘An act providing for proceedings supplementary to execution;’ also that it has duly passed Council Bill No. 70, by Mr. Mechem, ‘An act to validate certain indebtedness of School District No. 8, County of Guadalupe;’ also that it has duly passed Council Joint Resolution No. 12, by Mr. McBee, in regard to agricultural lands, and respectfully asks the concurrence of this Honorable Body therein.”

House Memorial No. 2, presented by Mr. Mullens, a memorial favoring the sub-fire station at the New Mexico Military Institute. Read first and second times by title, and referred to the Committee on Finance.

The following reports of standing committees were read and adopted:



"Santa Fe, New Mexico, February 18, 1909.

Mr. Speaker:

Your Committee on Judiciary to whom has been referred House Bill No. 76, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed, but that House Judiciary Committee Substitute therefor be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, February 18, 1909.

Mr. Speaker:

Your Committee on Judiciary to whom has been referred House Bill No. 50, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed, but that House Judiciary Committee Substitute therefor be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, February 18, 1909.

Mr. Speaker:

Your Committee on Internal Improvements to whom has been referred House Bill No. 106, has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be passed.

JULIAN CHAVEZ, Chairman."

"Santa Fe, New Mexico, February 18, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 74, 'An act to amend Chapter 90 of the Laws of the Thirty-fifth Legislative Assembly, authorizing the practice of Kiropractice in the Territory of New Mexico, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, February 18, 1909.

Mr. Speaker:

Your Committee on Livestock, to whom has been referred House Bill No. 31, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

JULIAN CHAVEZ, Chairman."

The following message from the Council was announced:

“Mr. Speaker:

The Honorable Council has instructed me to announce to this Honorable House of Representatives, that it has failed to concur in the passage of Amended House Bill No. 4, introduced by Mr. Bushkevitz, ‘An act to create Bent county;’ also that it has failed to concur in the passage of House Bill No. 26, introduced by Mr. Benj. F. Brown, ‘An act to create Taft county.’ ”

“Santa Fe, New Mexico, February 18, 1909.

Mr. Speaker:

Your Committee on Internal Improvements, to whom has been referred House Bill No. 46, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be recommitted to the Committee on Mines and Public Lands.

JULIAN CHAVEZ, Chairman.”

“Santa Fe, New Mexico, February 18, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 35, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed, but that House Judiciary Committee Substitute therefor be passed.

C. J. ROBERTS, Chairman.”

“Santa Fe, New Mexico, February 18, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 16, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed, but that House Judiciary Committee Substitute therefor be passed.

C. J. ROBERTS, Chairman.”

“Santa Fe, New Mexico, February 18, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 79, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed, but that House Judiciary Committee Substitute therefor be passed.

C. J. ROBERTS, Chairman.”

"Santa Fe, New Mexico, February 18, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 84, 'An act entitled an act to amend Sections 1, 3, 4, 7, 9, and 10 of Chapter 34, of the Acts of the Thirty-seventh Legislative Assembly, and to amend Section 22 of Chapter 103, of the Acts of the Thirty-fifth Legislative Assembly, etc.,' has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, February 18, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 87, 'An act entitled an act relating to improvement districts, in cities and incorporated towns, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

The following House bills were introduced:

House Bill No. 155, introduced by Mr. Tipton, "An act entitled an act to amend Section 3345 of the Compiled Laws of 1897." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 156, introduced by Mr. Tipton, "An act entitled an act providing for the payment of deficiencies incurred during the 59th and 60th fiscal years, providing for the payment of contracted obligations against the Territory for which no provision was made, authorizing the issuance of certificates of indebtedness, and for other purposes." Read first and second times by title, and referred to the Committee on Finance. The Speaker announced that it would not be ordered translated and printed until further bills on the same subject are brought in.

House Bill No. 157, introduced by Mr. Chavez (Sierra). "An act entitled an act classifying unmarried men and providing that a tax be levied on them, and for other purposes." Read first and second times by title, and by request of Mr. Chavez (Sierra), in full for information, ordered translated and printed and referred to the Committee on Livestock.

Under the order of bills on their third reading the following bills were taken up:

House Bill No. 78 read a third time in full preparatory to its passage.

Mr. Baca moved that House Bill No. 78 do now pass, and the roll call resulted as follows:

Ayes—Baca, Sweezy—2.

Nays—Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Roberts, Sanchez, Tipton, Valdez, Walters, Mr. Speaker—20.

Said motion was lost.

Mr. Roberts moved that the vote by which House Bill No. 78 failed to pass be reconsidered, and that the recommendation be laid on the table indefinitely, which motion prevailed.

House Bill No. 80 read a third time in full preparatory to its passage.

Mr. Davidson moved that House Bill No. 80 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The result being unanimous the Speaker declared House Bill No. 80 to have passed the House.

House Bill No. 90 read a third time in full preparatory to its passage.

Mr. Chavez (Bernalillo) moved that House Bill No. 90 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—21.

The result being unanimous, the Speaker declared House Bill No. 90 to have passed the House.

House Substitute for House Bill No. 16 read a third time in full preparatory to its passage.

Mr. Blattman moved that House Substitute for House Bill No. 16 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—21.

The result being unanimous, the Speaker declared House Substitute for House Bill No. 16 to have passed the House.

House Bill No. 83 read a third time in full preparatory to its passage.

Mr. Mirabal moved that House Bill No. 83 be laid on the table indefinitely, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brown, Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Sanchez, Mr. Speaker—11.

Nays—Baker, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Roberts, Sweezy, Tipton, Valdez, Walters—11.

Said motion was lost.

Mr. Roberts moved that the further consideration of House Bill No. 83 be postponed until next Tuesday at two o'clock.

Mr. Mirabal moved an amendment to the motion of Mr. Roberts, that House Bill No. 83 do now pass, and the roll call resulted as follows:

Ayes—Baker, Brice, Bushkevitz, Davidson, Roberts, Sweezy, Tipton, Walters—8.

Nays—Baca, Blattman, Brown, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Sanchez, Valdez, Mr. Speaker—14.

The result being in the negative, the Speaker announced the bill as having failed to pass the House.

Mr. Roberts moved that the House do now adjourn, and the roll call being demanded resulted as follows:

Ayes—Baker, Brice, Bushkevitz, Chavez (Bernalillo), Davidson, Roberts, Sweezy, Tipton, Walters—9.

Nays—Baca, Blattman, Brown, Chavez (Sierra), Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Sanchez, Valdez, Mr. Speaker—13.

Said motion was lost.

Mr. Mirabal moved that the vote by which House Bill No. 83 failed to pass the House be reconsidered and that the reconsideration be tabled indefinitely, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Valdez, Walters, Mr. Speaker—16.

Nays—Brice, Davidson, Mullens, Roberts, Sweezy, Tipton—6.

The result being in the affirmative, the reconsideration was tabled indefinitely.

Mr. Mirabal moved that the House do now adjourn until tomorrow at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

## TWENTY-SECOND DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 19, 1909.  
Friday, 10:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Messrs. Gallegos, Moffett, Stackhouse and Pacheco, excused, the House proceeded to business.

Prayer by the Chaplain.

The journal of the twenty-first day read in full.

Mr. Sanchez moved that the journal of the twenty-first day be approved as read, which motion prevailed.

The following message from the Council was announced:

"Mr. Speaker:

The Honorable Council has instructed me to announce to the Honorable House of Representatives that it has duly concurred in the passage of House Substitute for House Bill No. 5, 'An act creating Curry county.'"

The following petitions were presented:

House Petition No. 21, presented by Mr. Chavez (Bernalillo), "requesting the passage of Council Bill No. 59, authorizing a tax levy, and for other purposes." Read first and second times by title, and referred to the Committee on Finance.

House Petition No. 22, presented by Mr. Davidson, from the residents of Grant County protesting against the creation of Pyramid county. Read first and second times by title, and referred to the Committee on Counties and County Lines.

House Petition No. 23, presented by Mr. Davidson, asking for the enactment of the law giving local option to liquor traffic and forbidding the sale on Sunday. Read first and second times by title, and referred to the Committee on Territorial Affairs.

The following reports of standing committees were read and adopted:

"Santa Fe, New Mexico, February 19, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs to whom has been referred Council Bill No. 61, has had the same under consideration, and I am directed to report the said bill to the House with the recom-

mendation that House Substitute therefor, herewith submitted, be passed.

SILVESTRE MIRABAL, Chairman."

Mr. Mirabal moved that the rules be suspended for the purpose of taking up House Substitute for Council Bill No. 61, which motion prevailed.

House Substitute for Council Bill No. 61 taken up and read first and second times by title and in full for information.

Thé following message from the Council was announced:

"Mr. Speaker:

The Honorable Council has instructed me to announce to the Honorable House of Representatives that it has duly passed Council Bill No. 68, "An act to repeal Chapter 466 of the Compiled Laws of New Mexico, relating to corporations" and respectfully asks the concurrence of this Honorable Body in the same.

Mr. Mirabal moved that the rules be further suspended, and that House Substitute for Council Bill No. 61 be considered translated, printed and referred and be now read a third time by title preparatory to its passage, which motion prevailed.

Under further suspension of the rules, Mr. Mirabal moved that House Substitute for Council Bill No. 61 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Mullens, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—20.

The result being unanimous the Speaker declared House Substitute for Council Bill No. 61, to have passed the House.

Mr. Mirabal moved that original Council Bill No. 61 be tabled indefinitely, which motion prevailed.

Mr. Sanchez moved that the vote by which House Substitute for Council Bill No. 61 passed the House be reconsidered and that the reconsideration be laid on the table indefinitely, which motion prevailed.

The following bills were introduced:

House Bill No. 158, introduced by Mr. Sanchez, "An act to create Jaffa County." Read first and second times by title, and in full for information.

Mr. Sanchez moved that the rules be suspended for the purpose of taking up House Bill No. 158, and the roll call being demanded, resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Bushkevitz, Chavez (Sier-

ra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Mullens, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—19.

Nays—Baker—1.

The result being in the affirmative, the rules were suspended and House Bill No. 158 was taken up for consideration.

Mr. Sanchez moved that the rules be further suspended, and that House Bill No. 158 be considered translated, printed and referred, and now read a third time by title preparatory to its passage, and the roll call being demanded, resulted as follows:

Ayes—Baca, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Mullens, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—18.

Nays—Baker, Brice—2.

The result being in the affirmative, said motion prevailed and House Bill No. 158 was read for a third time by title.

Under further suspension of the rules Mr. Sanchez moved that House Bill No. 158 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Mullens, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—18.

Nays—Baker, Brice—2.

The result being in the affirmative, the Speaker declared House Bill No. 158 to have passed the House.

Mr. Sanchez moved that the action of the House on the passage of House Bill No. 158 be reported to the Council at once, which motion prevailed.

House Bill No. 159, introduced by Mr. Sweezy, "An act to regulate the traffic of intoxicating liquors and providing a penalty." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

The following bills on their third reading were taken up:

Council Bill No. 49 taken up and read in full.

Mr. Martinez moved that Council Bill No. 49 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Mullens, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—17.



The result being unanimous the speaker declared Council Bill No. 49 to have passed the House.

House Bill No. 84 taken up and read in full, in English.

Mr. Sanchez moved that the reading in Spanish of House Bill No. 84 be dispensed with, which motion prevailed.

Mr. Sanchez moved that House Bill No. 84, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Mullens, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—20.

The result being unanimous, the Speaker declared House Bill No. 84 to have passed the House.

Mr. Martinez moved that the House do now take a recess until this afternoon at two o'clock, which motion prevailed.

#### AFTERNOON SESSION

The House met pursuant to recess with the Speaker in the chair.

There being a quorum present the House proceeded to business

By unanimous consent, the following report of the Committee on Enrolled and Engrossed Bills was read:

“Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred Amended House Bill No. 100, House Bill No. 101, House Resolution No. 6, House Resolution No. 7, and House Substitute for House Bill No. 5, has had the same under consideration, and I am directed to report that the said bills and resolutions have been enrolled and engrossed.

POWELL STACKHOUSE, Chairman.”

Under the order of bills on their third reading House Bill No. 10 was taken up and read in full.

The following message from the Council was announced:

“Mr. Speaker:

The Honorable Council has instructed me to announce to the Honorable House of Representatives that it has duly concurred in the passage of House Substitute for Council Bill No. 61.”

Mr. Garcia moved that House Bill No. 10 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal,

Mullens, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—19.

The vote being unanimous, the Speaker declared House Bill No. 10 to have passed the House.

Judiciary Committee Substitute for House Bill No. 79 read a third time in full preparatory to its passage.

Mr. Davidson moved that Judiciary Committee Substitute for House Bill No. 70 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Mullens, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—19.

The result being unanimous, the Speaker declared House Bill No. 79 to have passed the House.

House Bill No. 82 read a third time in full preparatory to its passage.

Mr. Garcia moved that House Bill No. 82 do now pass, and the roll call resulted as follows:

Ayes—Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Garcia, Mirabal, Roberts, Sanchez, Valdez, Walters, Mr. Speaker—10.

Nays—Baker, Blattman, Brice, Davidson, Martinez, Mullens, Sweezy, Tipton—8.

The result being in the affirmative, the Speaker declared said House Bill No. 82 to have passed the House.

By unanimous consent, the following report of the Committee on Enrolled and Engrossed Bills was read:

“Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred House Substitute for Council Bill No. 61, has had the same under consideration, and I am directed to report that said Substitute has been enrolled and engrossed.

POWELL STACKHOUSE, Chairman.”

The following message from the Council was announced:

“Mr. Speaker:

The Honorable Council has instructed me to announce to the Honorable House of Representatives that it has failed to concur in the passage of House Bill No. 139, but that it has passed in lieu thereof Council Substitute for House Bill No. 139, and asks the concurrence of this Honorable Body in the same.

The speaker announced having signed the following bills and resolutions:

Amended House Bill No. 100, House Bill No. 101, House Resolution No. 6, House Resolution No. 7, House Substitute for House Bill No. 5, and House Substitute for Council Bill No. 61.

House Bill No. 87 taken up.

The following message from the Council was announced:

"Mr. Speaker:

The Honorable Council has instructed me to announce to the Honorable House of Representatives that it has duly passed Council Joint Resolution No. 14, providing for the payment of the freight on the furniture for the Governor's Mansion, and respectfully asks the concurrence of this Honorable Body in the same."

During the reading of House Bill No. 87, Mr. Sanchez moved that the further reading of said House Bill No. 87 be dispensed with, which motion prevailed.

Mr. Sanchez moved that House Bill No. 87 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Bushkevitz, Chavez (Siera), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Mullens, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—19.

The result being unanimous, the Speaker declared House Bill No. 87 to have passed the House.

Council Substitute for House Bill No. 139 taken up and read in full.

Mr. Sanchez moved that Council Substitute for House Bill No. 139 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Blattman, Chavez (Siera), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Mullens, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—19.

The result being unanimous, the Speaker declared Council Substitute for House Bill No. 139 to have passed the House.

Mr. Sanchez moved that the vote by which Council Substitute for House Bill No. 139 passed the House be reconsidered, and that the reconsideration be laid on the table indefinitely, which motion prevailed.

By unanimous consent, the following bills were introduced:

House Bill No. 160, introduced by Mr. Tipton, "An act to change the boundaries of Otero County, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Counties and County Lines.

House Bill No. 161, introduced by Mr. Martinez, "An act to

amend Section 255 of the Compiled Laws of 1897." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

By unanimous consent, Mr. Mullens presented House Resolution No. 8, extending a vote of thanks to the Las Vegas Optic, the Albuquerque Citizen and El Independiente for courtesies. Read first and second times by title.

Mr. Mullens moved that the rules be suspended, and that House Resolution No. 8 be now read a third time in full preparatory to its passage, which motion prevailed.

House resolution No. 8 read in full.

Mr. Blattman moved that House Resolution No. 8 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Mullens, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—17.

The result being unanimous, the speaker declared House Resolution No. 8. to have passed the House.

The following message from the Council was announced:

"Mr. Chairman:

The Honorable Council has instructed me to announce to the Honorable House of Representatives of the Thirty-eighth Legislative Assembly, that it has duly passed House Bill No. 70. with certain Council amendments, said act being an act to regulate and prescribe the manner of disbursement of Territorial funds; that it has also concurred in the passage of House Bill No. 80, introduced by Mr. Davidson, an act to provide for the recording of certified copies of patents issued by the United States for land, and asks the concurrence of this Honorable Body in the same."

House Substitute for House Bill No. 45 taken up and read a third time in full preparatory to its passage.

Mr. Martinez moved that House Substitute for House Bill No. 45 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Garcia, Martinez, Mirabal, Mullens, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—18.

The result being unanimous, the Speaker declared House Substitute for House Bill No. 45 to have passed the House.

Mr. Chavez (Sierra) moved that the House do now adjourn until Tuesday at two o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## TWENTY-THIRD DAY.

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### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 23, 1909,  
Tuesday, 2 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present except Messrs. Gallegos, Pacheco, Stackhouse and Tipton, excused, the House proceeded to business.

Prayer by the Chaplain.

The following message from the Council was announced:

"Mr. Speaker:

The Honorable Council has instructed me to announce to the Honorable House of Representatives that it has duly passed Council Bill No. 45, and Council Substitute for Council Bills Nos. 63 and 64, and asks the concurrence of this Honorable Body in the same; also that it has duly concurred in the passage of House Bill No. 69 and House Bill No. 54."

A message from the Governor of New Mexico was received.

Journal of the twenty-second day read in full and on motion of Mr. Martinez approved as read.

The following petitions were presented:

House Petition No. 24, presented by Mr. Valdez, by request from the citizens of the Canada del Venado asking to be annexed to San Miguel County. Read first and second times by title and referred to the Committee on Counties and County Lines.

House Petition No. 25, presented by Mr. Mullens, for local option. Read first and second times by title and referred to the Committee on Territorial Affairs.

House Petition No. 26, presented by Mr. Mullens, a petition fav-

oring the passage of House Bill No. 95 granting suffrage to women in school elections. Read first and second times by title, and referred to the Committee on Education.

The following reports of standing committees were read and adopted:

"Santa Fe, New Mexico, February 23, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 88, 'An act entitled an act in regard to garnishment,' has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed with the amendment thereto attached.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, February 23, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 47, "An act to amend Section 242 of the Compiled Laws of New Mexico of 1897, and for other purposes," has had the same under consideration, and I am directed to report said bill to the House with the recommendation that it be not passed, but that House Judiciary Committee Substitute therefor be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, February 23, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 105, "An act entitled an act to amend Section 1799 of the Compiled Laws of New Mexico, 1897, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed, but that House Substitute for House Bill No. 105 be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, February 23, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 137, "An act to amend an act entitled an act to create the County of Torrance, approved February 2, 1905, being Chapter 2 of the laws of 1905,' has had the same under consideration, and I am directed to report the said bill with the recommendation that it be referred to the Committee on Counties and County Lines.

C. J. ROBERTS, Chairman."

House Bill No. 137 referred to the Committee on Counties and County Lines.

"Santa Fe, New Mexico, February 23, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 126, entitled, "An act to repeal Chapter 119 of the laws of 1905, approved March 16, 1905, etc," has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, February 23, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 113, "An act entitled an act to amend Chapter 42 of the Session Laws of 1907," has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed with the following amendments, which have been made in the bill:

Strike out the words 'within the exterior boundaries of same and who are qualified electors at the general elections held in this Territory' and insert in lieu thereof the words 'on the same' in the fifth, sixth and seventh lines of the original bill. Insert in the fourth line of Section 4 of the original bill, after the word 'of' "The Board of Trustees of."

C. J. ROBERTS, Chairman."

The following bills were introduced:

House Bill No. 162, introduced by Mr. Valdez, "An act authorizing the members of the Thirty-eighth Legislative Assembly to appoint indigent students to certain educational institutions in the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 163, introduced by Mr. Valdez, "An act to provide for the collection of certain occupation tax by the incorporated cities of the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Corporations.

House Bill No. 164, introduced by Mr. Sanchez, "An act to revise and systematize the school laws, providing a fund for summer school institutions and for other purposes." Read first and second times by title.

Mr. Sanchez moved that the rules be suspended and that House Bill No. 164 be taken up for consideration. The Speaker requested Mr. Sanchez to withdraw his motion until the completion of the introduction of bills.

House Bill No. 165, introduced by Mr. Sanchez, "An act to amend an act entitled an act to revise and systematize the school laws of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Education.

House Bill No. 166, introduced by Mr. Martinez, "An act to provide for the carrying into effect of the death penalty, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 167, introduced by Mr. Sweezy, by request, "An act to create the County of Nolan." Read first and second times by title, ordered translated and printed, and referred to the Committee on Counties and County Lines.

House Bill No. 168, introduced by Mr. Bushkevitz, "An act to create the County of Coronado." Read first and second times by title, ordered translated and printed, and referred to the Committee on Counties and County Lines.

House Bill No. 169, introduced by Mr. Blattman, "An act relating to property rights." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 170, introduced by Mr. Mullens, "An act fixing the responsibility for taxes as between vendor and vendee in the absence of agreement." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 171, introduced by Mr. Martinez, "An act providing for the government of the Nuestra Senora del Rosario, San Fernando y Santiago Land Grant, in the County of Rio Arriba." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

Mr. Sanchez moved that the rules be suspended and that House Bill No. 164 be considered translated, printed and referred, and now read a third time in full preparatory to its passage, which motion prevailed.

House Bill No. 164 read in full.

Mr. Sanchez moved that House Bill No. 164 do now pass, and the roll call being demanded, resulted as follows:

Ayes—Blattman, Brown, Chavez (Sierra), Chavez (Bernalillo),



Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Sanchez, Valdez, Walters—13.

Nays—Baca, Baker, Brice, Bushkevitz, Davidson, Roberts, Sweezy—7.

Said bill carrying an appropriation required a two-thirds vote, and the motion was lost. Whereupon said bill was referred to the Committee on Education.

House Joint Resolution No. 4, introduced by Mr. Baca, which was read as follows:

*“Be it resolved by the Thirty-eighth Legislative Assembly:*

That the thanks of the people of New Mexico are due the President of the United States, Hon. Theodore Roosevelt, for his unselfish interest and his energetic work to help the Territory of New Mexico to become a state and to give its citizens the full rights of American citizenship.

That in no less degree, the people of New Mexico owe gratitude to their chief executive, Hon. George Curry, who undaunted by adverse conditions, worked like a trojan for the immediate passage by Congress of our enabling act, and also accomplished untold good for New Mexico by his indefatigable and patriotic efforts on behalf of other interests of our people at the National Capitol.

That we also give thanks to the members of the statehood delegation appointed by his Excellency, Hon. George Curry, who without pay or hope of reward gave time, energy and means in the furtherance of the great cause of statehood; and also to all other New Mexico citizens who have labored for this purpose.”

The following message from the Council was announced:

“Mr. Speaker:

The Honorable Council has instructed me to announce to this Honorable House of Representatives of the Thirty-eighth Legislative Assembly, that it has duly passed Council Substitute for Council Bill No. 82, introduced by Mr. Mechem, ‘An act in relation to evidence;’ also that it has duly passed Council Bill No. 91, introduced by Mr. Hanley, ‘An act appropriating money for the completion of the addition to the Capitol, etc., and asks the concurrence of this Honorable Body in the same.”

Mr. Baca moved that the rules be suspended and that House Joint Resolution No. 4 be considered translated, printed and referred, and now read a third time by title preparatory to its passage, which motion prevailed.

Mr. Baca moved that House Joint Resolution No. 4 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Sweezy, Valdez, Walters, Mr. Speaker—20.

The result being unanimous the Speaker declared House Joint Resolution No. 4 to have passed the House.

Under the order of bills on their third reading House Judiciary Committee Substitute for House Bill No. 35 taken up and read in full.

Mr. Bushkevitz offered an amendment to House Judiciary Committee Substitute for House Bill No. 35, which was read as follows:

“Amend by adding to Section 1 ‘and provided further, that such insertion can only be made in a newspaper which has been published for at least a year.’ ”

Amendment adopted on motion of Mr. Martinez.

Mr. Martinez moved that House Judiciary Committee Substitute for House Bill No. 35, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Garcia, Martinez, Mirabal, Moffett, Mullens, Sanchez, Sweezy, Walters, Mr. Speaker—14.

Nays—Blattman, Brice, Davidson, Roberts—4.

The result being in the affirmative, the Speaker declared House Judiciary Committee Substitute for House Bill No. 35, as amended, to have passed the House.

Mr. Blattman moved that the House do now adjourn until tomorrow at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## TWENTY-FOURTH DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 24, 1909.  
Wednesday, 10:00 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present except Messrs. Pacheco, Stackhouse, and Tipton, excused, the House proceeded to business.

Prayer by the Chaplain.

The journal of the twenty-third day was read in full and on motion of Mr. Blattman approved as read.

The following messages and report were read:

“Message No. 12.

Santa Fe, New Mexico, February 19, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following: Amended House Bill No. 109, ‘An act entitled an act to establish a Museum for the Territory of New Mexico, and for other purposes.’ Amended Council Joint Resolution No. 10, ‘providing for the printing ordered by the Council and the House of the Thirty-eighth Legislative Assembly.’

I am, Gentlemen,

Respectfully yours,

NATHAN JAFFA,

Acting Governor of New Mexico.”

“Message No. 13.

Santa Fe, New Mexico, February 20, 1909..

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Substitute for House Bill No. 139, ‘An act appropriating money for the completion of the addition to the Capitol building, Executive mansion, and for the purpose of furnishing in a suitable manner the said Executive mansion.’

I am, Gentlemen,

Respectfully yours,

NATHAN JAFFA,

Acting Governor of New Mexico.”

“Message No. 14.

Santa Fe, New Mexico, February 23, 1909.

Hon. E. A. Miera, Speaker, House of Representatives, Thirty-eighth Legislative Assembly, Santa Fe, New Mexico.

Sir:

I have the honor to enclose herein report of the Statehood Committee, appointed by me on the 6th instant, pursuant to House Joint Resolution No. 3, which authorized the Governor to appoint a committee consisting of seven members to immediately proceed to Washington for the purpose of urging New Mexico’s claims for admission to the Union, as well as to work for the passage of

other legislation that was of vital interest to the people of this Territory. I had the pleasure of accompanying this committee and take this occasion to testify to the valuable service they rendered the people of New Mexico.

In accordance with your resolution I offered to pay the members of this committee their necessary traveling expenses, not to exceed five hundred dollars each, but each member declined to receive any compensation whatever for their time and services, or their expenses, and at their request the entire sum appropriated under said resolution, with the exception of a small amount used for telegrams and clerk hire, has been returned to the Territorial Treasurer.

While in Washington this statehood committee was joined by Honorables A. B. Fall, W. A. Hawkins, E. L. Medler, H. L. Waldo, Wm. White, Wm. J. Mills, Edward A. Mann, and other representative citizens of New Mexico, all of whom were tireless and enthusiastic advocates of the passage of our statehood bill, and I feel sure that the New Mexicans created such a favorable impression that if the enabling act fails to pass during the present session of Congress, that some definite agreement will be entered into between the leaders of the nation, before adjournment, which will admit us to the Union at some specified time in the near future.

Respectfully submitted,

GEORGE CURRY,  
Governor of New Mexico."

"Washington, D. C., February 18, 1909.

To His Excellency, George Curry, Governor of New Mexico.

Sir:

We, the committee appointed by your excellency, pursuant to a joint resolution passed by the Thirty-eighth Legislative Assembly of the Territory of New Mexico, to accompany your excellency to Washington to urge Congress to pass the enabling act, now pending, and providing that New Mexico be empowered to form a constitution and submit the same to the President for admission as a state in the Union, do hereby respectfully report:

That immediately upon the arrival of the committee in Washington the duty with which it was charged was entered upon. We ascertained that the House of Representatives was almost unanimously in favor of the passage of the statehood bill, and which measure was passed by that branch of Congress with very great enthusiasm on February 15, 1909. Your committee witnessed

this inspiring spectacle, and had a pardonable pride in hearing the debate, during which the justice of the cause of New Mexico for statehood was eloquently proclaimed by the leaders of the Republican and Democratic parties.

We further ascertained that a very large majority of the members of the United States Senate are in favor of the immediate passage of the bill at the present session. The prospects for the passage of the bill by the Senate are improving every day, and we believe that the bill will be in the hands of the President before the expiration of his term.

The people of New Mexico should feel particularly grateful to President Roosevelt for the earnest and valuable assistance which he has rendered us. In his annual message he urged Congress to immediately pass our enabling act. Again in the furtherance of this object, he has labored incessantly in our behalf to accomplish this result. In the interview which your committee had with him, he expressed in the most earnest and forcible manner his great desire and wish for our immediate admission, and his determination to continue in his efforts in our behalf. For this valuable help the people of New Mexico should be, and as your committee believe, are under lasting obligations to him.

We are also assured that President-elect Taft is extremely friendly to the cause of statehood for New Mexico, and that independently of any party pledge he believes in the justice of our cause, and that we have ample qualifications fitting us for immediate admission to the Union. He is aiding us to the extent he thinks it is proper for him to go during the closing days of the present administration, but regards the pledge of the platform under which he was elected as absolutely binding upon the incoming administration.

We are also pleased to report that our admission is not a party question, but we have most valuable friends and strong advocates in both of the great political parties. We have full faith that the unanimous declarations of the Republican and Democratic parties made in their respective national conventions in 1908, will be fulfilled at this session of Congress.

We have found some objections were raised in opposition to our admission by members who were fearful that we might adopt a constitution unduly radical, they not knowing that our people are extremely conservative. We have attempted to correct this unfounded opinion by showing the class and character of our people, as represented by both the Republican and Democratic parties, and have

asserted that they need have no fear whatsoever of a constitution with any improper provisions contained therein.

We desire to attest the fidelity and zeal of your excellency in promoting the work of the committee, your extensive acquaintance with the public men of the country has been an asset of the greatest value, and has brought the attention of every department of the federal service to the long delayed claims of New Mexico, and her right to admission as a state.

Delegate Andrews has been able and untiring in urging Congress to grant statehood; he has intelligently and earnestly urged the right too long delayed, and has brought to the attention of Congress knowledge of the vast resources of our territory, and of the steady and conservative character of our people.

We have been very cordially received and have been most generously encouraged by the individual members of the Senate and House, and we give the members thereof our united appreciation for the many good words spoken by them to us in behalf of New Mexico.

Respectfully submitted.

H. M. DOUGHERTY,  
GEORGE S. KLOCK,  
ARTHUR SELIGMAN,  
VENCESLAO JARAMILLO,  
W. F. BUCHANAN,  
W. E. MARTIN,  
SECUNDINO ROMERO,

The following reports of Standing Committees were read and adopted:

"Santa Fe, New Mexico, February 23, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs to whom has been referred House Bill No. 71, beg leave to report that they have had the same under consideration, and recommend that it be passed with the following amendments: In Section 1, line four, strike out the word 'Otero' and insert in lieu thereof the word 'Curry' and in line five in said Section 1, strike out Guadalupe and insert in lieu thereof the words 'all that part of 'Guadalupe' county lying east of the Pecos and Gallinas rivers and Precinct No. 23 lying on the west side of the Pecos river in said Guadalupe county.' and in said line five strike out the word 'Chaves.'

SILVESTRE MIRABAL, Chairman."

Respectfully submitted,

SILVESTRE MIRABAL.

"Santa Fe, New Mexico, February 24,, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs to whom has been referred House Bill No. 99, "An act relating to mileage for County Commissioners," has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed, but that House Substitute therefor be passed.

SILVESTRE MIRABAL, Chairman."

"Santa Fe, New Mexico, February 24, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs to whom has been referred Council Joint Memorial No. 5, has had the same under consideration and I am directed to report the said Memorial to the House with the recommendation that it be passed.

SILVESTRE MIRABAL, Chairman."

"Santa Fe, New Mexico, February 24, 1909.

Mr. Speaker:

Your Committee on Internal Improvements, to whom has been referred Council Bill No. 33, has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be passed.

JULIAN CHAVEZ, Chairman."

House Resolution No. 9, introduced by Mr. Blattman, in regard to the Chief Clerk listing all House Bills in numerical order. Read first and second times by title, and in full for information.

Mr. Roberts moved that House Resolution No. 9 be taken up out of its regular order, for consideration, which motion prevailed.

Mr. Valdez moved that the rules be suspended and that House Resolution No. 9 be considered translated, printed and referred, and now read a third time by title preparatory to its passage. There being no objection, the Speaker referred House Resolution No. 9 to the Committee on Rules.

At the request of Mr. Davidson, Council Substitute for House Bill No. 29 taken up from the Speaker's table and referred to the Committee on Education.

The following bills were introduced:

House Bill No. 172, introduced by Mr. Roberts, "An act to provide an appropriation for gauging the streams of the Territory of New Mexico and to encourage irrigation." Read first and sec-

ond times by title, ordered translated and printed and referred to the Committee on Irrigation.

House Bill No. 173, introduced by Mr. Brice, "An act to provide the qualifications for admission to the bar, creating a Territorial board of bar examiners, establishing a procedure for the disbarment of attorneys, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

Under the order of bills on their third reading, House Bill No. 73 taken up and read in full in English.

Mr. Garcia moved that the reading of House Bill No. 73 in Spanish be dispensed with, which motion prevailed.

Mr. Roberts offered an amendment to House Bill No. 73, which was read as follows:

"Amend Section two by striking out the words 'for killing and burning or burying each glandered horse or ass, to be collected from the owner of the animal, \$3.00.'"

Amendment adopted on motion of Mr. Roberts.

Mr. Moffett moved that House Bill No. 73, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Sweezy, Valdez, Mr. Speaker—20.

Nays—Walters—1.

The result being in the affirmative, the Speaker declared House Bill No. 73, as amended, to have passed the House.

House Bill No. 56 taken up and read in full.

Mr. Walters offered an amendment to House Bill No. 56, which was read as follows:

Amend line one Section Three by inserting after the word reside, "such uncollected poll tax receipts."

Amendment adopted on motion of Mr. Walters.

Mr. Roberts offered an amendment to House Bill No. 56, which was read as follows:

Amend line 11, Section Two of the printed bill by striking out the word "not" and changing the word "heretofore" to the word "theretofore."

Amendment adopted on motion of Mr. Walters.

Mr. Walters moved that House Bill No. 56, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez



(Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Sweezy, Valdez, Walters, Mr. Speaker—21.

The result being unanimous, the speaker declared House Bill No. 56, as amended, to have passed the House.

House Bill No. 55 taken up and read in full.

Mr. Walters offered an amendment to House Bill No. 55, which was read as follows:

Amend House Bill No. 55 by adding to Section Two the words "Pages one dollar per day each."

Amendment adopted on motion of Mr. Walters.

Mr. Mullens offered an amendment to House Bill No. 55, which was read as follows:

Amend Section Four by inserting before the words "Chief Clerk" in line thirteen of the printed bill, the word "Speaker" and a comma.

Amendment adopted on motion of Mr. Mullens.

Mr. Martinez offered an amendment, which was read as follows:

Amend by adding to said bill the following words "that it won't take effect until thirty days after its passage."

Amendment adopted on motion of Mr. Martinez.

Mr. Valdez moved that House Bill No. 55, as amended, be tabled indefinitely, and the roll call resulted as follows:

Ayes—Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Mirabal, Sanchez, Sweezy, Valdez—11.

Nays—Baca, Baker, Brice, Davidson, Martinez, Moffett, Mullens, Roberts, Walters, Mr. Speaker—10.

The result being in the affirmative, House Bill No. 55 tabled indefinitely.

Mr. Brice moved that the House do now take a recess until two o'clock this afternoon, which motion prevailed.

#### AFTERNOON SESSION

The House met pursuant to recess with the Speaker in the chair.

There being a quorum present the House proceeded to business.

By unanimous consent the following bill was introduced:

House Bill No. 174, introduced by Mr. Roberts, "An act to classify the employees of the Legislative Council and House of Representatives, providing a compensation to be paid therefor,

and for other purposes." Read first and second times by title, and in full for information.

Mr. Brown moved that the rules be suspended, and that House Bill No. 174 be considered translated, printed and referred, and now read a third time by title preparatory to its passage, which motion prevailed.

Mr. Brown moved that the rules be further suspended and that House Bill No. 174 do now pass, and the roll call being demanded resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—20.

Nays—Chavez (Sierra), Gallegos—2.

The result being in the affirmative the Speaker declared House Bill No. 174 to have passed the House.

Mr. Blattman requested that House Bills Nos. 74 and 110 be recommitted.. Whereupon the Speaker recommitted House Bill No. 74 to the Committee on Judiciary, and House Bill No. 110 to the Committee on Roads and Public Highways.

Under the order of bills on their third reading House Bill No. 75 taken up and read in full.

Mr. Sanchez offered an amendment to House Bill No. 75, which was read as follows:

"Strike out the words 'sixty to twenty years' and insert in lieu thereof the words 'six to sixteen years.' "

Amendment adopted on motion of Mr. Davidson.

Mr. Roberts moved that House Bill No. 75 be recommitted to the Committee on Education, and that the Committee be instructed to report the said bill back to the House for passage, with a suitable provision for the enforcement of this law. The roll call being demanded, resulted as follows:

Ayes—Mullens, Roberts, Stackhouse, Sweezy—4.

Nays—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Sanchez, Valdez, Walters, Mr. Speaker—18.

The result being in the negative, said motion was lost.

Mr. Roberts offered an amendment which was read as follows:

Amend by adding a new section, as follows:

"Any parent, guardian or other person having in charge or under his or her control any child within the limit as defined in Section

Two, who shall fail to send such child to school for the period herein prescribed shall be guilty of a misdemeanor and shall be fined in any sum not exceeding \$100.00: Provided however, that there shall be a school term held in the school district wherein such child resides of not less than three months in duration."

Amendment adopted on motion of Mr. Moffett.

Mr. Bushkevitz moved that House Bill No. 75 as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—21.

The result being unanimous, the Speaker declared House Bill No. 75 as amended, to have passed the House.

House Bill No. 106 taken up and read in full.

Mr. Mullens moved that House Bill No. 106 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Sweezy, Valdez, Walters, Mr. Speaker—21.

The result being unanimous the Speaker declared House Bill No. 106 to have passed the House.

House Bill No. 71 taken up and read in full.

The amendments offered by the Committee on Territorial Affairs to House Bill No. 71, were read and adopted.

Mr. Brown offered an amendment which was read as follows:

By inserting the word "Union" after the word "Roosevelt," in line five of Section One.

Amendment adopted on motion of Mr. Baker.

Mr. Bushkevitz offered an amendment which was read as follows:

Amend Section One by striking out the word "or" in the third line of the printed bill after the word "precinct" and inserting in lieu thereof the words "of any" and by striking out the words "any or all of any one of said counties" in Section One, lines six and seven of the printed bill.

Amendment adopted in motion of Mr. Baker.

Mr. Baca offered an amendment which was read as follows:

Add after the word "Mora" the word "Santa Fe."

Amendment adopted on motion of Mr. Baca.

Mr. Baker moved that House Bill No. 71 as amended, do now pass and the roll call resulted as follows:

Ayes:—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—21.

The Speaker announced Mr. Mullens paired with Mr. Tipton.

The result being unanimous, the Speaker declared House Bill No. 71 as amended, to have passed the House.

House Substitute for House Bill No. 105 taken up and read in full.

Mr. Chavez (Bernalillo), moved that House Substitute for House Bill No. 105 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Mr. Speaker—21.

Nays—Walters—1.

The result being in the affirmative the Speaker declared House Substitute for House Bill No. 105 to have passed the House.

House Judiciary Committee Substitute for House Bill No. 76 taken up and read in full.

Mr. Valdez moved that House Judiciary Committee Substitute for House Bill No. 76 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—20.

The result being unanimous the Speaker declared House Judiciary Committee Substitute for House Bill No. 76 to have passed the House.

Mr. Blattman moved that the House do now adjourn until tomorrow at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

**TWENTY-FIFTH DAY.****MORNING SESSION**

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 25, 1909.  
Thursday, 10 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present except Mr. Tipton, excused, the House proceeded to business.

Prayer by the Chaplain.

The journal of the twenty-fourth day was read in full in English.

Mr. Blattman moved that the reading of the journal of the twenty-fourth day in Spanish be dispensed with, and that the same

The following petitions were presented:

House Petition No. 27, presented by Mr. Baca, requesting the passage of a local option law. Read first and second times by title, and referred to the Committee on Territorial Affairs.

House Petition No. 28, presented by Mr. Chavez (Bernalillo), from the citizens of Albuquerque requesting the passage of a local option law. Read first and second times by title and referred to the Committee on Territorial Affairs.

House Petition No. 29, presented by Mr. Sweezy, from the citizens of Mora County praying for the creation of the County of Nolan. Read first and second times by title, and referred to the Committee on Counties and County Lines.

House Petition No. 30, presented by Mr. Mullens, from the citizens of Carlsbad requesting the passage of a local option law. Read first and second times by title, and referred to the Committee on Territorial Affairs.

House Petition No. 31, presented by Mr. Mullens, from the citizens of Roswell requesting the passage of a local option law. Read first and second times by title, and referred to the Committee on Territorial Affairs.

House Petition No. 32, presented by Mr. Sanchez, from the citizens of Torrance County protesting against the annexation of La Canada del Venado to San Miguel County. Read first and second times by title, and referred to the Committee on Counties and County Lines.

The following reports of Standing Committees were read and adopted:

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 109, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

PRICE WALTERS, Chairman."

Mr. Blattman moved that the rules be suspended and that House Bill No. 109 be taken out of its regular order and now read a third time in full preparatory to its passage, and the roll call being demanded, resulted as follows:

Ayes—Baca, Blattman, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Moffett, Mullens, Sweezy, Walters—9.

Nays—Baker, Brice, Brown, Davidson, Gallegos, Garcia, Martinez, Mirabal, Pacheco, Roberts, Sanchez, Stackhouse, Valdez, Mr. Speaker—14.

Said motion was lost.

Minority Report.

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 95, herewith present the minority report and state that it has had the same under consideration, and we are directed to report the said bill to the House with the recommendation that it be passed.

BENJAMIN F. BROWN,  
J. W. MULLENS.

Mr. Mullens moved the adoption of this report, which motion was lost.

Majority Report.

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 95 has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed.

PRICE WALTERS, Chairman."

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Education to whom has been referred Council Substitute for House Bill No. 29, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that House Substitute for Council Substitute for House Bill No. 29 be passed, and that Council Substitute for House Bill No. 29 be tabled.

PRICE WALTERS, Chairman."

Mr. Walters moved that the rules be suspended, and that House Substitute for Council Substitute for House Bill No. 29 be taken up out of the regular order, considered translated, printed and referred, and now read a third time in full preparatory to its passage, and the roll call being demanded, resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—23.

The result being unanimous the rules were suspended and House Substitute for Council Substitute for House Bill No. 29 taken up and read a third time in full preparatory to its passage.

Under further suspension of the rules, Mr. Davidson moved that House Substitute for Council Substitute for House Bill No. 29 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Valdez, Walters, Mr. Speaker—22.

Nays—Sweezy—1.

The result being in the affirmative the Speaker declared House Substitute for Council Substitute for House Bill No. 29 to have passed the House.

Mr. Walters moved that Council Substitute for House Bill No. 29 be tabled indefinitely, which motion prevailed.

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 164, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

PRICE WALTERS, Chairman."

Mr. Sanchez moved that the rules be suspended, that House Bill No. 164 be taken up out of its regular order, and now read a third time in full preparatory to its passage, and the roll call being demanded, resulted as follows:

Ayes—Baca, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Moffett, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—19.

Nays—Baker, Brice, Davidson, Mullens—4.

The result being in the affirmative the rules were suspended and House Bill No. 164 was taken up and read a third time in full preparatory to its passage.

Mr. Bushkevitz moved that the House do now take a recess until this afternoon at two o'clock, and the roll call being demanded, resulted as follows:

Ayes—Baker, Brice, Bushkevitz, Davidson—4.

Nays—Baca, Blattman, Brown, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Moffett, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—18.

The Speaker announced Mr. Mullens paired with Mr. Tipton.

The result being in the negative, said motion was lost.

Mr. Baca offered an amendment to House Bill No. 164, which was read as follows:

That Section 11 of Chapter 97 of the Session Laws of 1907 be, and the same is hereby amended by striking out all words thereof, after, and including the word "Superintendent" in line 17 to and including the word "Education" in line 25 thereof.

Mr. Baca moved the adoption of the amendment, and the roll call being demanded, resulted as follows:

Ayes—Baca, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Sweezy, Valdez, Walters, Mr. Speaker—18.

Nays—Baker, Brice, Davidson, Roberts, Stackhouse—5.

The result being in the affirmative, the Speaker declared said amendment adopted.

Mr. Baca moved that House Bill No. 164, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Moffett, Pacheco, Sanchez, Sweezy, Valdez, Mr. Speaker—16.



Nays—Baker, Brice, Davidson, Mullens, Roberts, Stackhouse, Walters—7.

The result being in the affirmative, the Speaker declared House Bill No. 164, as amended, to have passed the House.

Mr. Mullens moved that the House do now adjourn until tomorrow at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker."

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## TWENTY-SIXTH DAY.

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### MORNING SESSION

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, February 26, 1909,  
Friday, ten o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Mr. Tipton, excused, the House proceeded to business.

Prayer by the Chaplain.

Mr. Martinez moved that the reading of the journal of the twenty-fifth day be dispensed with, and that the same be approved by the Speaker after inspection, which motion prevailed.

The following House Petition was presented:

House Petition No. 33, presented by Mr. Davidson, protesting against the creation of Pyramid county. Read first and second times by title, and referred to the Committee on Counties and County Lines.

The following reports of Standing Committees were read and adopted:

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 59, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

PRICE WALTERS, Chairman."

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Mines and Public Lands, to whom has been referred House Bill No. 131, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

H. M. SWEEZY, Chairman."

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Mines and Public Lands to whom has been referred House Bill No. 147, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed with the following amendment: Strike out the words "when used within four miles from the place where cut" in Section 1.

H. M. SWEEZY, Chairman."

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Corporations, to whom has been referred House Bill No. 39, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

POWELL STACKHOUSE JR., Chairman."

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Mines and Public Lands, to whom has been referred House Bill No. 44, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be laid on the table indefinitely.

H. M. SWEEZY, Chairman."

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 49, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed as amended.

PRICE WALTERS, Chairman."

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Penitentiary, to whom has been referred

House Bill No. 124, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

A. A. GALLEGOS, Chairman."

The following message from the Council was received:

"Mr. Speaker:

The Honorable Council has instructed me to announce to the Honorable House of Representatives that it has duly concurred in the passage of House Substitute for Council Substitute for House Bill No. 29; also that it has duly concurred in the passage of House Bill No. 28, "An act entitled an act to amend Section 30, of Chapter 104, of the Laws of 1907, authorizing the Commissioner of public lands to grant a right of way on public lands, and for other purposes," with certain Council amendments thereto; also that the Council has duly concurred in the passage of House Substitute for House Bill No. 105, "An act to amend Section 1799 of the Compiled laws of 1897," with certain Council amendments thereto. It has also instructed me to announce that it has failed to concur in the passage of House Joint Resolution No. 4, but has passed in lieu thereof Council Substitute for House Joint Resolution No. 4, and asks the concurrence of this Honorable Body in the same; also that it has passed Council Bill No. 86, "An act relative to the changing of county seats," and asks the concurrence of this Honorable Body in the same."

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Penitentiary, to whom has been referred House Bill No. 18, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

A. A. GALLEGOS, Chairman."

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Agriculture and Manufactures, to whom has been referred House Bill No. 17, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

ZACARIAS VALDEZ, Chairman."

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Agriculture and Manufactures, to whom

has been referred House Bill No. 17, has had the same under consideration, and I am directed to report the said Council Bill No. 56 with the recommendation that it be passed with amendment attached hereto.

JESUS C. SANCHEZ, Chairman."

"Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

Your Committee on Roads and Highways, to whom has been referred House Bill No. 110, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it pass with its amendment.

W. L. BLATTMAN, Chairman."

The following House Bills were introduced:

House Bill No. 175, introduced by Mr. Davidson, "An act to provide for the distribution and application of money received by the Territory of New Mexico from the United States Government as its proportion of the income from the Forest Reserves within its said Territory." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 176, introduced by Mr. Martinez. "An act to provide for the assessment of sheep in the Territory of New Mexico." Read first and second times by title, ordered translated and printed and referred to the Committee on Territorial Affairs.

House Bill No. 177, introduced by Mr. Stackhouse, "An act amending Chapter 91 of the Session Laws of 1907." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 178, introduced by Mr. Davidson, "An act to amend Section 2, Chapter 115, of the Session Laws of 1905." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 179, introduced by Mr. Gallegos, "An act to provide for the collection of delinquent taxes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Education.

House Bill No. 180, introduced by Mr. Chavez (Sierra), "An act to amend Chapter 46 of the Laws of the Legislative Assembly of the Territory of New Mexico for the year 1905." Read first and second times by title, and by request of Mr. Chavez (Sierra), a third time in full for information.

On motion of Mr. Chavez (Sierra), duly seconded and carried,

the rules were suspended and House Bill No. 180 was considered translated and printed, and referred, and was read a third time by title preparatory to its passage.

Under further suspension of the rules Mr. Chavez moved that House Bill No. 180 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Bushkevitz, Chavez, (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—21.

Mr. Baca was excused from voting on account of interest in the bill.

The vote being unanimous the Speaker declared House Bill No. 180 to have passed the House.

House Bill No. 181, introduced by Mr. Brice, "An act entitled an act to prohibit the carrying of certain kinds of arms and weapons in the Territory of New Mexico and providing a penalty therefor, and for other purposes." Read first and second times by title ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 182, introduced by Mr. Brice, "An act to amend Chapter 107 of the Laws of 1903, entitled an act to create county boards of Horticultural Commissioners in the Territory of New Mexico and to promote the horticultural interests in said Territory." Read first and second times by title, ordered translated and printed, and referred to the Committee on Agriculture and Manufactures.

House Bill No. 183, introduced by Mr. Blattman, "An act to repeal certain acts exempting from taxation railroads, smelters, manufactures, and other exemptions from taxation" Read first and second times by title, ordered translated and printed, and referred to the Committee on Corporations.

House Bill No. 184, introduced by Mr. Baca, "An act to amend Section 2 of Chapter 45 of the Laws of 1907, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 185, introduced by Mr. Stackhouse, "An act entitled an act in reference to indexing County Records." Read first and second times by title, ordered translated and printed, and referred to the Committee on Counties and County Lines.

House Bill No. 186, introduced by Mr. Roberts, "An act to approve, adopt and enact the revision of the laws of the Terri-

tory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Joint Resolution No. 5, introduced by Mr. Baca, "providing for additional pay for the regular employees of the Capitol." Read first and second times by title, and referred to the Committee on Finance.

The following messages from the Governor of New Mexico were received and read:

"Message No. 15.

Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Joint Resolution No. 1, opposing any change in the name of the Territory of New Mexico when it becomes a state.

House Joint Memorial No. 1, to the Senate and House of Representatives of the United States in Congress assembled praying the approval of Chapter 92 of the Acts of the 37th Legislative Assembly of the Territory of New Mexico, and for other purposes.

House Bill No. 101, "An act amending Section 2 of Chapter 2 of the Session Laws of the 33rd Legislative Assembly of the Territory of New Mexico, relating to the classification of counties and the number of signatures to obtain on petition to build bridges..

House Substitute for House Bill No. 96, "An act to provide for an issue of bonds of the Territory of New Mexico for common school purposes for which the money shall be used and for other purposes."

House Substitute for House Bill No. 5, "An act to create the County of Curry."

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

"Message No. 16.

Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Bill No. 34, 'An act for the repression of contagious and infectious diseases among cattle, horses, mules and asses, and to provide for the extirpation of such diseases and to protect the public health.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

"Message No. 17.

Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day allowed House Substitute for Council Bill No. 61, 'An act for the settlement and adjustment of claims against public officers, and for other purposes,' to become law by limitation.

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

"Message No. 18.

Santa Fe, New Mexico, February 25, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Bill No. 49, 'An act to authorize corporations to purchase, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of the shares of the capital stock of, or bonds, securities or evidence of indebtedness created by any other corporation; to exercise the rights and powers of ownership; to vote thereon and to guarantee the payment of the principal and interest of any such bonds, sureties or evidence of indebtedness.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

Under the order of bills on their third reading, Amended Council Bill No. 56 taken up and read in full.

Mr. Sanchez moved that Amended Council Bill No. 56, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Davidson, Garcia, Martinez, Mirabal, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters Mr. Speaker—20.

Nays—Chavez (Bernalillo), Gallegos, Moffett—3.

The result being in the affirmative the Speaker declared Amended Council Bill No. 56 to have passed the House.

House Substitute for House Bill No. 50 taken up and read in full in English.

Mr. Gallegos moved that the reading in Spanish of said bill be dispensed with, which motion prevailed.

Mr. Roberts moved that House Substitute for House Bill No. 50 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez,

Mirabal, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Valdez, Walters, Mr. Speaker—20.

The result being unanimous the Speaker declared House Substitute for House Bill No. 50 to have passed the House.

By unanimous consent the following bills were introduced:

House Bill No. 187, introduced by Mr. Mirabal, "An act to amend an act entitled an act to provide for the leasing, sale, management and control of all lands now owned or hereafter acquired by the Territory of New Mexico; and to create a territorial public land office; a commissioner thereof, and to prescribe the duties of such officer; to provide for the care, custody, disposition and investment of moneys derived from all territorial lands by leasing, sale or otherwise, and for other purposes; approved March 21, 1807, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Territorial Affairs.

House Bill No. 188, introduced by Mr. Baca, "An act providing for the fencing of gardens and farms, and providing for the recovery of damages in case the same be trespassed upon by live stock, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Agriculture and Manufactures.

Mr. Blattman moved that the rules be suspended for the purpose of taking up House Bill No. 105 out of its regular order, which motion prevailed.

House Bill No. 105 taken up and read in full with Council amendments.

Mr. Blattman moved that the House do now concur in the amendments offered by the Council, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Mr. Speaker—21.

Nays—Martinez, Walters—2.

The result being in the affirmative the Speaker declared the House as having concurred in the amendments offered by the Council to House Bill No. 105.

Mr. Valdez moved that the House do now take a recess until this afternoon at two o'clock, which motion prevailed.



## AFTERNOON SESSION

The House met pursuant to recess with the Speaker in the chair.

There being a quorum present the House proceeded to business.

By unanimous consent the following petitions were presented:

House Petition No. 35, presented by Mr. Baker, from the citizens of the town of Tucumcari relative to local option. Read first and second times by title and referred to the Committee on Territorial Affairs.

House Petition No. 36, presented by Mr. Blattman, from seventy-eight citizens of Solano, New Mexico, relative to local option. Read first and second times by title and referred to the Committee on Territorial Affairs.

House Petition No. 37, presented by Mr. Sweezy, from two hundred and forty-three citizens of East Las Vegas, for a local option law. Read first and second times by title and referred to the Committee on Territorial Affairs.

House Petition No. 38, presented by Mr. Martinez, from two hundred and eighty citizens of Embudo, New Mexico, for a local option law. Read first and second times by title, and referred to the Committee on Territorial Affairs.

House Petition No. 39, presented by Mr. Baca, from two hundred and thirty-two citizens of Los Cerillos, for a local option law. Read first and second times by title and referred to the Committee on Territorial Affairs.

Mr. Brown moved that for the purpose of showing our appreciation of the very prompt manner in which bills originating in the House are treated in the Council, that the rules be suspended and all bills originating in the Council now on the Speaker's table be taken up out of their regular order and be acted upon at once, and the roll call resulted as follows:

Ayes—Blattman, Brown, Bushkevitz, Chavez (Sierra), Gallegos, Garcia, Martinez, Moffett, Mullens, Pacheco, Sanchez, Sweezy, Valdez—13.

Nays—Baca, Baker, Brice, Chavez (Bernalillo), Davidson, Mirabal, Roberts, Stackhouse, Walters, Mr. Speaker—10.

The vote not carrying the necessary two-thirds majority, said motion was lost.

House Bill No. 88 taken up and read in full.

Mr. Moffett moved that House Bill No. 88, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Martinez,

Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—22.

The result being unanimous the Speaker declared House Bill No. 88 to have passed the House.

Council Bill No. 35 taken up and read in full in English.

Mr. Gallegos moved that the reading in Spanish of Council Bill No. 35 be dispensed with, which motion prevailed.

Mr. Gallegos moved that Council Bill No. 35, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—22.

The result being unanimous the Speaker declared Council Bill No. 35 to have passed the House.

Mr. Chavez (Sierra) moved that the House do now adjourn until tomorrow at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## TWENTY-SEVENTH DAY.

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### MORNING SESSION

HOUSE OF REPRESENTATIVES.

Santa Fe, New Mexico, February 27, 1909.

Saturday, 10 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Messrs. Baca, Brice, Brown, Garcia and Tipton, excused, the House proceeded to business.

Prayer by the Chaplain.

Mr. Roberts moved that the reading of the journal of the twenty-sixth day be dispensed with, and that the same be approved by the Speaker after inspection, which motion prevailed.

The following reports of Standing Committees were read and approved:

"Santa Fe, New Mexico, February 26, 1909.

Mr. Speaker:

Your Committee on Live Stock to whom has been referred House Bill No. 7 has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

JULIAN CHAVEZ, Chairman."

"Santa Fe, New Mexico, February 26, 1909.

Mr. Speaker:

Your Committee on Printing to whom has been referred Council Joint Resolution No. 3, has had the same under consideration, and I am directed to report the said resolution to the House with the recommendation that it be passed.

ROMAN L. BACA, Chairman,  
JESUS C. SANCHEZ,  
SANTIAGO GARCIA,  
JAMES W. MULLENS."

"Santa Fe, New Mexico, February 26, 1909.

Mr. Speaker:

Your Committee on Printing to whom has been referred House Bill No. 58, "An act entitled an act to provide for the printing and furnishing of tax schedules and assessment rolls for the several counties of the Territory, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

ROMAN L. BACA, Chairman.  
JESUS C. SANCHEZ,  
SANTIAGO GARCIA,  
JAMES W. MULLENS."

"Santa Fe, New Mexico, February 26, 1909.

Mr. Speaker:

Your Committee on Capitol, to whom has been referred House Bill No. 98, 'An act entitled an act in relation to the rebuilding of the Court House in the County of Santa Fe, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

ROMAN L. BACA, Chairman.  
W. L. BLATTMAN,  
A. C. PACHECO,  
JULIAN CHAVEZ.

The following House bills were introduced:

House Bill No. 189, introduced by Mr. Stackhouse, Jr., "An act entitled an act for the protection of the industries of the Indians in New Mexico." Read first and second times by title, and by request of Mr. Mullens in full for information.

On motion of Mr. Mullens, duly seconded and carried, the rules were suspended and House Bill No. 189 was considered translated, printed and referred, and was read a third time by title preparatory to its passage.

Under further suspension of the rules, Mr. Bushkevitz moved that House Bill No. 189 do now pass, and the roll call resulted as follows:

Ayes—Blattman, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—17.

Nays—Pacheco—1.

The result being in the affirmative, the Speaker declared House Bill No. 189 to have passed the House.

House Bill No. 190, introduced by Mr. Walters, "An act to amend Chapter 30, Session Laws of 1907, being an act relative to the inspection of bees and creating the office of Inspector of Bees, approved March 16, 1907." Read first and second times by title, ordered translated and printed, and referred to the Committee on Internal Improvements.

Under the order of bills on their third reading, the following bills were taken up:

House Bill No. 124 taken up.

During the reading of the bill in full preparatory to its passage Mr. Moffett moved that the further reading of the bill be dispensed with, which motion prevailed.

Mr. Walters offered the following amendments, which were read in full:

Amend House Bill No. 124 by numbering Section 10 of the bill Section 11, and Section 11 to be Section No. 12; and inserting the following as Section No. 10:

"In all penal statutes of this territory whereby the terms of such statutes a definite punishment of imprisonment in the penitentiary is prescribed the time of such imprisonment in such statute shall be construed to be the maximum of imprisonment for the purposes of this act, unless such statutes expressly provide that such time is the maximum.

Also by striking out the words 'other than treason and murder in the first degree' in lines 15 and 16, Section 9 of the printed bill.

Amend House Bill No. 124 by striking out the words "except murder in the first degree and treason." in lines three and four in Section 1 of the printed bill.

Also, by striking out 'nothing in this act shall be construed to impair the power of the Governor to grant a pardon or commutation in any case,' in lines six, seven and eight in Section 6 of the printed bill.

Also, by inserting a comma after the word 'official' in line five in Section Three of the printed bill, and immediately thereafter the words: 'The New Mexico Society for the Friendless, now doing prisoners' aid work in New Mexico.'"

Mr. Walters moved that the amendments read be adopted, which motion prevailed.

Mr. Roberts offered the following amendment, which was read:

Amend Section One by striking out all after the word "penitentiary" in line five of the first page of the printed bill to and including the word "sentence" in line six following, and insert in lieu thereof the following: "The court in imposing such sentence shall fix the maximum and minimum duration of the same." Further amend such section by striking out all that portion of section one following the word "term" in line two, page two of the printed bill, to and including the word "sentence" in line three, and insert in lieu thereof the following: "Fixed by the court."

Mr. Walters moved that the amendments read be adopted, which motion prevailed.

Mr. Walters moved that House Bill No. 124, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—19.

The vote being unanimous, the Speaker declared House Bill No. 124, as amended, to have passed the House.

House Bill No. 39 taken up and read in full.

Mr. Sanchez offered an amendment to House Bill No. 39, which was read as follows:

Amend by striking out all of Section Three after the word "months" in line sixteen.

Mr. Sanchez moved that House Bill No. 39 be recommitted to

a proper committee, and the roll call being demanded, resulted as follows:

Ayes—Blattman, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Valdez, Mr. Speaker—12.

Nays—Baker, Bushkevitz, Davidson, Roberts, Stackhouse, Sweezy, Walters—7.

The result being in the affirmative the Speaker referred House Bill No. 39 to the Committee on Roads and Public Highways.

House Bill No. 147 taken up and read in full.

Mr. Mirabal moved that House Bill No. 147 as amended, do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—19.

The result being in the affirmative the Speaker declared House Bill No. 147 as amended to have passed the House.

House Judiciary Committee Substitute for House Bill No. 47 taken up and read in full.

Mr. Mullens moved that House Judiciary Substitute for House Bill No. 47 be recommitted to the Committee on Judiciary, and that said committee be instructed to bring in a just and equitable bill, which motion prevailed.

Whereupon the Speaker recommitted House Judiciary Committee Substitute for House Bill No. 47 to the Committee on Judiciary.

House Bill No. 109 taken up and read in full.

Mr. Sweezy offered an amendment.

During the reading of the amendment, Mr. Valdez moved that the further reading of House Bill No. 109 and its amendments be dispensed with, and that said House Bill No. 109 and its amendments be tabled indefinitely, which motion prevailed.

Mr. Walters moved that the House do now adjourn until Monday afternoon at two o'clock. which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

## TWENTY-EIGHTH DAY.

## AFTERNOON SESSION

HOUSE OF REPRESENTATIVES,  
"Santa Fe, New Mexico, March 1, 1909.  
Monday, 2 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.

Prayer by the Chaplain.

Mr. Walters moved that the reading of the journal of the twenty-seventh day be dispensed with and that the same be approved by the Speaker, after inspection, which motion prevailed.

By unanimous consent Mr. Walters introduced House Joint Resolution No. 6. in regard to the charges preferred against the Territory of New Mexico before the Committee on Territories of the United States Senate. Read first and second times by title.

On motion of Mr. Walters, duly seconded and carried, the rules were suspended and House Joint Resolution No. 6 was considered translated, printed and referred, and was read a third time in full preparatory to its passage.

Under further suspension of the rules, Mr. Walters moved that House Joint Resolution No. 6 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—24.

The result being unanimous, the Speaker declared House Joint Resolution No. 6 to have passed the House.

The following House Petitions were presented, read first and second times by title, and referred to the Committee on Territorial Affairs:

House Petition No. 40, presented by Mr. Baca, for a local option law, signed by the Governor, the territorial officials, and 787 citizens of Santa Fe, New Mexico.

House Petition No. 41, presented by Mr. Baca, for a local option law, signed by 93 citizens of Stanley, New Mexico.

House Petition No. 42, presented by Mr. Mullens, for a local option law, signed by 16 citizens of the Roswell Military Institute.

House Petition No. 43, presented by Mr. Mullens, for a local option law, signed by 30 citizens of Orchard Park, New Mexico.

House Petition No. 44, presented by Mr. Roberts, for a local option law, signed by 24 citizens of House, New Mexico.

House Petition No. 45, presented by Mr. Roberts, for a local option law, signed by 67 citizens of Miami, New Mexico.

House Petition No. 46, presented by Mr. Pacheco, for a local option law, or prohibition, signed by 261 persons of El Prato, Llano, Pensaco, etc.

House Petition No. 47 presented by Mr. Martinez, for a local option law, or prohibition, signed by citizens of Chimayo and Las Truchas, New Mexico.

The following reports of standing committees were read and adopted:

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills to whom has been referred House Resolution No. 8, has had the same under consideration, and I am directed to report that said bill has been duly enrolled and engrossed.

POWELL STACKHOUSE JR., Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred House Bill No. 54, has had the same under consideration, and I am directed to report that said bill has been correctly enrolled and engrossed.

POWELL STACKHOUSE JR., Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred House Substitute for House Bill No. 105 has had the same under consideration, and I am directed to report that said bill has been correctly enrolled and engrossed.

POWELL STACKHOUSE JR., Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred House Substitute for Council Substitute for House Bill No. 29, has had the same under consideration, and I am di-



rected to report that the said bill has been duly enrolled and engrossed.

POWELL STACKHOUSE JR., Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred House Bill No. 69, has had the same under consideration, and I am directed to report that the said bill has been correctly enrolled and engrossed.

POWELL STACKHOUSE JR., Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred Council Bill No. 23, entitled 'An act prescribing the form and condition of appearance bonds in the Territory of New Mexico, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed with the following amendment: Amend line ten of Section 2 as follows: Where the word "County Court" appear in said line change them to read "District Court."

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs, to whom has been referred House Bill No. 132, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

SILVESTRE MIRABAL, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Counties and County Lines, to whom has been referred House Bill No. 25 amended by the Council, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it pass as amended by the Council.

JESUS C. SANCHEZ, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Counties and County Lines, to whom has

been referred House Bill No. 115, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it do not pass.

JESUS C. SANCHEZ, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 146, "An act entitled an act, to amend Section 35 of Chapter 89 of the acts of the thirty-seventh Legislative assembly, has had the same under consideration, and I am directed by the majority of the Committee to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred Council Bill No. 39, "An act entitled an act fixing the time for holding the terms of the District Court for the fourth judicial district of the Territory of New Mexico," has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

The following message from the Council was announced:

"Mr. Speaker:

I am instructed by the Honorable Council to inform this Honorable Body that it has duly passed Council Bill No. 101, "An act to amend Sections 20 and 21 of Chapter 57 of the Laws of 1907;" also that it has duly passed Council Bill No. 102, "An act entitled an act to amend Section 2917 of the Compiled Laws of 1897;" and requests the concurrence of this Honorable Body in the same."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 133, "An act entitled an act to amend Section 2138 of the Compiled Laws of the Territory of New Mexico for the year 1897," has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

rected to report that the said bill has been duly enrolled and engrossed.

POWELL STACKHOUSE JR., Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred House Bill No. 69, has had the same under consideration, and I am directed to report that the said bill has been correctly enrolled and engrossed.

POWELL STACKHOUSE JR., Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred Council Bill No. 23, entitled 'An act prescribing the form and condition of appearance bonds in the Territory of New Mexico, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed with the following amendment: Amend line ten of Section 2 as follows: Where the word "County Court" appear in said line change them to read "District Court."

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs, to whom has been referred House Bill No. 132, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

SILVESTRE MIRABAL, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Counties and County Lines, to whom has been referred House Bill No. 25 amended by the Council, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it pass as amended by the Council.

JESUS C. SANCHEZ, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Counties and County Lines, to whom has

been referred House Bill No. 115, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it do not pass.

JESUS C. SANCHEZ, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 146, "An act entitled an act, to amend Section 35 of Chapter 89 of the acts of the thirty-seventh Legislative assembly, has had the same under consideration, and I am directed by the majority of the Committee to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred Council Bill No. 39, "An act entitled an act fixing the time for holding the terms of the District Court for the fourth judicial district of the Territory of New Mexico," has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

The following message from the Council was announced:

"Mr. Speaker:

I am instructed by the Honorable Council to inform this Honorable Body that it has duly passed Council Bill No. 101, "An act to amend Sections 20 and 21 of Chapter 57 of the Laws of 1907;" also that it has duly passed Council Bill No. 102, "An act entitled an act to amend Section 2917 of the Compiled Laws of 1897;" and requests the concurrence of this Honorable Body in the same."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 133, "An act entitled an act to amend Section 2138 of the Compiled Laws of the Territory of New Mexico for the year 1897," has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred Council Bill No. 30, 'An act entitled an act to validate and legalize marriages,' has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred Council Bill No. 41, "An act entitled an act to punish the making or use of false statements to obtain credit," has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred Council Bill No. 44, 'An act to amend Section 1971 of the Compiled Laws of 1897,' has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 40, "An act to amend Section 18 of Chapter 49 of the laws of the thirty-seventh Legislative Assembly of the Territory of New Mexico," has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 1, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred Council Bill No. 17, "An act to regulate the sale by single transaction of mercantile stock and establishments," has had the same under consideration and I am directed to report said bill to the House with the recommendation that it be laid on the table in-

definitely, as both the House and Council have passed similar measures.

C. J. ROBERTS, Chairman."

The following message from the Council was announced:

"Mr. Speaker:

I am instructed by the Honorable Council to inform this Honorable Body, that it has concurred in the passage of House Bill No. 180, "An act entitled an act to amend Chapter 46 of the laws of the Legislative Assembly of the Territory of New Mexico for the year 1905."

The following bill was introduced:

House Bill No. 191, introduced by Mr. Martinez, "An act to regulate and fix passenger fare on railroads, and for other purposes." Read first and second times by title, and at the request of Mr. Martinez in full for information.

Mr. Martinez moved that the rules be suspended and that House Bill No. 191 be considered translated, printed and referred, and now read a third time preparatory to its passage, and the roll call being demanded, resulted as follows:

Ayes—Baca, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Valdez, Mr. Speaker—17.

Nays—Baker, Brice, Roberts, Stackhouse, Sweezy, Tipton, Walters—7.

The result being in the affirmative the rules were suspended and House Bill No. 191 taken up and read for a third time in full preparatory to its passage.

The following message from the Council was announced:

"Mr. Speaker:

I am instructed by the Honorable Council to inform this Honorable Body that the Council has concurred in the passage of House Bill No. 62, "An act entitled an act to prevent injury to telegraph and telephone lines."

Under further suspension of the rules, Mr. Martinez moved that House Bill No. 191, do now pass, and the roll call being demanded, resulted as follows:

Ayes—Blattman, Brown, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Tipton, Valdez, Walters, Mr. Speaker—16.

Nays—Baca, Baker, Brice, Bushkevitz, Davidson, Roberts, Stackhouse, Sweezy—8.

The result being in the affirmative the Speaker declared House Bill No. 191 to have passed the House.

Mr. Blattman moved that the House do now adjourn until tomorrow at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## TWENTY-NINTH DAY.

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### MORNING SESSION

#### HOUSE OF REPRESENTATIVES.

“Santa Fe, New Mexico, March 2, 1909.

Tuesday, 10 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.

Prayer by the Chaplain.

Mr. Walters moved that the reading of the journal of the twenty-eighth day be dispensed with and that the same be approved by the Speaker after inspection, which motion prevailed.

Mr. Mullens moved that the rules be suspended for the purpose of taking up Council Joint Resolution No. 14 out of its regular order, which motion prevailed.

Council Joint Resolution No. 14 taken up and read a third time in full preparatory to its passage.

Under further suspension of the rules, Mr. Mullens moved that Council Joint Resolution No. 14 do now pass, and the roll resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Walters, Mr. Speaker—23.

The result being unanimous the Speaker declared Council Joint Resolution No. 14 to have passed the House.

Mr. Blattman moved that the House do now adjourn until tomorrow at ten o'clock, and the roll call being demanded resulted as follows:

Ayes—Baca, Blattman, Brown, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Martinez, Moffett, Mullens, Pacheco, Stackhouse, Tipton, Walters, Mr. Speaker—14.

Nays—Baker, Brice, Bushkevitz, Davidson, Garcia, Mirabal, Roberts, Sanchez, Sweezy—9.

The result being in the affirmative the House adjourned until tomorrow at ten o'clock.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. A. SALAZAR,  
Chief Clerk.

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## THIRTIETH DAY.

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### MORNING SESSION

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, March 3, 1909.  
Wednesday, 10 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.

Prayer by the Chaplain.

Mr. Roberts moved that the reading of the journal of the twenty-ninth day be dispensed with and that the same be approved by the Speaker after inspection, which motion prevailed.

The Speaker announced having signed the following:

House Bill No. 54; Substitute for House Bill No. 105; Substitute for House Bill No. 29; House Bill No. 69; House Resolution No. 8; Council Joint Resolution No. 14, and House Bill No. 180.

The following petitions were presented, read a first and second time by title, and referred to the Committee on Territorial Affairs.

House Petition No. 48, presented by Mr. Tipton, for local option law, with fifty additional names from Las Cruces, New Mexico.



House Petition No. 49, presented by Mr. Tipton, for local option law, signed by two hundred and three citizens of Alamogordo, New Mexico.

House Petition No. 50, presented by Mr. Bushkevitz, for local option law, with thirty-two additional names from the town of Santa Rosa, New Mexico.

House Petition No. 51, presented by Mr. Martinez, for local option law, with one hundred and thirty-five additional names from the town of Truchas, New Mexico.

House Petition No. 52, presented by Mr. Chavez (Bernalillo), for local option law, with thirty additional names to the Albuquerque, New Mexico, list.

House Petition No. 53, presented by Mr. Davidson, for local option law, from sixteen citizens of the town of Lordsburg, New Mexico.

House Petition No. 54, presented by Mr. Mullens, for local option law, signed by thirty-seven citizens of Pichaco, Chaves County, New Mexico.

House Petition No. 55, presented by Mr. Mullens, for local option law, with one hundred and ninety-four additional names from the town of Roswell, New Mexico.

House Petition No. 56, presented by Mr. Baca, for local option law, with two hundred additional names from Santa Fe, New Mexico.

The following report of the Committee on Judiciary was read:

"Santa Fe, New Mexico, March 2, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 42, "An act with reference to the selection and qualification of jurors, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed.

C. J. ROBERTS, Chairman."

Mr. Roberts moved that the report of the committee be adopted, and the roll call being demanded, resulted as follows:

Ayes—Baker, Brice, Chavez (Bernalillo), Davidson, Mirabal, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton—11.

Nays—Baca, Blattman, Brown, Bushkevitz, Chavez (Sierra), Gallegos, Garcia, Martinez, Pacheco, Sanchez, Valdez, Walters, Mr. Speaker—13.

The result being in the negative the bill was laid on the Speaker's table.

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives of the Thirty-eighth Legislative Assembly, that it has failed to concur in the passage of House Joint Resolution No. 6, in regard to the charges preferred against the Territory of New Mexico before the Committee on Territories of the United States Senate, but has passed in lieu thereof, Council Substitute for House Joint Resolution No. 6, and asks the concurrence of this Honorable Body in the same. That it has duly passed Council Substitute for Council Joint Memorial No. 6, relative to Forest Reserves; also that it has duly passed Council Bill No. 8, to provide for the government of certain cities and towns, etc.; also that it has duly passed Council Bill No. 13, to amend Section 688 of the Compiled Laws of 1897, relative to vacancies that may occur in Boards of County Commissioners; also Council Bill No. 19, to further amend Chapter 124 of the laws of 1905, entitled "an act relating to public highways;" also Council Substitute for Council Bill No. 29, to regulate probate practice; also Council Bill No. 53, creating District Attorneys for the Counties of Union and Colfax; also Council Bill No. 54, to make uniform the law of warehouse receipts; also Council Bill No. 62, providing for the appointment of District Attorneys, prescribing their duties and providing for their compensation; also Council Bill No. 78, providing for the establishment of claims to real estate; also Council Bill No. 93, making an appropriation to aid in marking the Santa Fe trail in New Mexico; also Council Bill No. 98, providing for the completion of the Scenic Highway; also Council Bill No. 110, in reference to right to water on confirmed land grants, and asks the concurrence of this Honorable Body in the passage of the same.

The following message from the Governor of New Mexico was read:

"Message No. 19.

"Santa Fe, New Mexico, March 2, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Substitute for Council Substitute for House Bill No. 29, "An act to repeal an act entitled 'An act to make the town of Sil-

ver City an independent school district, and to provide for the regulation and support of such school district, approved February 18, 1882; to subject the territory embraced in said independent school district to the operation of the general school laws of the Territory of New Mexico, and for other purposes."

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

The following reports of Standing Committees were read and adopted:

"Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred House Bill No. 62, has had the same under consideration, and I am directed to report the said bill as having been correctly enrolled and engrossed.

POWELL STACKHOUSE JR., Chairman."

"Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred House Bill No. 30, has had the same under consideration, and I am directed to report that the said bill has been correctly enrolled and engrossed.

POWELL STACKHOUSE JR., Chairman."

"Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred Amended House Bill No. 28, has had the same under consideration, and I am directed to report that the said bill has been correctly enrolled and engrossed.

POWELL STACKHOUSE JR., Chairman."

"Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 74, "An act entitled an act amending Chapter 90 of the Laws of the Thirty-fifth Legislative Assembly, authorizing the practice of Kiropractice in the Territory of New Mexico, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 161, 'An act entitled an act to amend Section 255 of the Compiled laws of 1897,' has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 2, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 111, 'An act entitled an act to amend Section 31 of Chapter 97 of the acts of the Thirty-seventh Legislative Assembly, entitled an act to revise and systematize the laws of the Territory of New Mexico,' has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 2, 1909.

Mr. Speaker:

Your Committee on Railroads, to whom has been referred Amended Council Bill No. 45, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed with the following amendment:

Strike out after the word 'Territory' in line fifteen, Section 1, all of the balance of that section.

POWELL STACKHOUSE JR., Chairman."

By request of Mr. Walters, Amended Council Bill No. 45 was read in full for information.

"Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

Your Committee on Counties and County Lines, to whom has been referred House Bill No. 160, has had the same under consideration, and I am directed to report House Bill No. 160 to the House with the recommendation that it be passed.

JESUS C. SANCHEZ, Chairman."

The following House Bills were introduced:

House Bill No. 192, introduced by Mr. Sanchez, "An act to construct drainages and water outlets in incorporated towns and vil-

lages in the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Irrigation.

House Bill No. 193, introduced by Mr. Sanchez, "An act entitled an act to amend Section 5, Chapter 2 of the Laws of New Mexico, for the year 1905, relating to Torrance County." Read first and second times by title.

By request of Mr. Walters, House Bill No. 193 was read in full for information.

On motion of Mr. Sanchez, duly seconded and carried, the rules were suspended and House Bill No. 195 was considered translated, printed and referred, and was read a third time by title preparatory to its passage.

Under further suspension of the rules, Mr. Chavez moved that House Bill No. 193 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo,) Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The vote being unanimous the Speaker declared House Bill No. 193 to have passed the House.

House Bill No. 194, introduced by Mr. Bushkevitz, "An act entitled an act to establish a Board of Railroad Commissioners for the Territory of New Mexico." Read first and second times by title, ordered printed, and referred to the Committee on Railroads.

House Bill No. 195, introduced by Mr. Pacheco, "An act entitled an act prescribing the duties and compensation of district attorneys." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 196, introduced by Mr. Mirabal, "An act entitled an act amending an act entitled an act placing Sandoval County in the Sixth District for District Attorney purposes, etc." Read first and second times by title.

By request of Mr. Mirabal, House Bill No. 196 was read in full for information.

On motion of Mr. Mirabal, duly seconded and carried, the rules were suspended, and House Bill No. 196 was considered translated, printed and referred, and was read a third time by title preparatory to its passage.

Under further suspension of the rules Mr. Mirabal moved that House Bill No. 196 do now pass, and the roll call resulted as fol-

lows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—24.

The vote being unanimous, the Speaker declared House Bill No. 196 to have passed the House.

House Bill No. 197, introduced by Mr. Valdez, "An act entitled an act to amend Chapter 11 of the acts of the Legislative Assembly of the year 1899, entitled an act to provide for the construction of public bridges." Read first and second times by title, ordered translated and printed, and referred to the Committee on Roads and Highways.

House Bill No. 198, introduced by Mr. Garcia, "An act entitled an act relating to building and loan associations." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 199, introduced by Mr. Valdez, "An act entitled an act to amend Section 4441 of the Compiled Laws of New Mexico for the year 1897." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 200, introduced by Mr. Bushkevitz, "An act to amend Section 23 of Chapter 36 of the Laws of the Thirty-seventh Legislative Assembly." Read first and second times by title.

House Bill No. 200 read in full for information upon request of Mr. Bushkevitz. Ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 201 introduced by Mr. Pacheco, "An act entitled an act to amend an act entitled an act to regulate the classification of counties, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 202, introduced by Mr. Valdez by request, "An act entitled an act prohibiting the sale of all kinds of intoxicating liquors in the Territory of New Mexico." Read first and second times by title.

House Bill No. 202 read in full for information upon the request of Mr. Valdez.

Ordered translated and printed, and referred to the Committee on Internal Improvements.

By unanimous consent, Mr. Baca introduced House Resolution

No. 10, granting to the New Mexico Good Roads Association the use of the hall of the House of Representatives on the evening of March 3rd, 1909.

Mr. Baca moved the adoption of the resolution, which motion prevailed.

Mr. Mullens moved that House Bill No. 95 be recommitted to the Committee on Education, which motion prevailed.

Mr. Blattman moved that the House do now take a recess until two o'clock this afternoon, which motion prevailed.

#### AFTERNOON SESSION

The House met pursuant to recess with the Speaker in the chair.

There being a quorum present the House proceeded to business.

A message from the Governor of New Mexico was received.

Under the order of business on the Speaker's table Council Bill No. 14, "An act entitled an act providing for proceedings supplementary to execution," was taken up, read first and second times by title, and referred to the Committee on Judiciary.

Council Joint Resolution No. 12, protesting to the Secretary of the Interior against further holding of agricultural lands for entry, taken up, read first and second times by title, and referred to the Committee on Territorial Affairs.

Mr. Blattman moved that the rules be suspended and that House Bill No. 200 be withdrawn from the translator and that it be taken up for consideration, which motion prevailed.

Under further suspension of the rules, on motion of Mr. Blattman, duly seconded and carried, House Bill No. 200 was considered translated, printed and referred, and was read a third time in full preparatory to its passage.

Under further suspension of the rules, Mr. Bushkevitz moved that House Bill No. 200 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous, the Speaker declared House Bill No. 200 to have passed the House.

Mr. Walters moved that the rules be suspended, and that Council Substitute for House Joint Resolution No. 6 be taken up for consideration, which motion prevailed.

Under further suspension of the rules, on motion of Mr. Walters, duly seconded and carried, Council Substitute for House Joint Resolution No. 6 was read the first and second times by title, and a third time in full preparatory to its passage.

Under further suspension of the rules, Mr. Walters moved that Council Substitute for House Joint Resolution No. 6 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared Council Substitute for House Joint Resolution No. 6 to have passed the House.

An invitation from the New Mexico Good Roads Association inviting members of the House to be present at the meeting to be held in the hall of the House of Representatives this evening was read.

Council Joint Resolution No. 15 authorizing the acceptance of the benefits of the Carnegie Foundation for the advancement of teaching, was taken up, read first and second times by title, and referred to the Committee on Finance.

The following message from the Governor of New Mexico was read:

“Message No. 20.

Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Joint Resolution No. 14, providing for the payment of freight charges on furniture intended for the executive mansion.

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico.”

Mr. Valdez moved that the rules be suspended and that House Bill No. 42 be taken up for consideration, which motion prevailed.

Under further suspension of the rules, on motion of Mr. Valdez, duly seconded and carried, House Bill No. 42 was read a third time by title preparatory to its passage.

Mr. Martinez moved that House Bill No. 42, do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brown, Bushkevitz, Chavez (Sierra),



Gallegos, Garcia, Martinez, Pacheco, Sanchez, Valdez, Walters, Mr. Speaker—13.

Nays—Baker, Brice, Chavez (Bernalillo), Davidson, Mirabal, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton—11.

The result being in the affirmative the Speaker declared House Bill No. 42 to have passed the House.

The following business on the Speaker's table was taken up and referred:

Council Bill No. 110, "An act in reference to the right to water on confirmed land grants." Read first and second times by title, and referred to the Committee on Corporations.

Council Bill No. 98, providing for the completion of the Scenic Highway between Santa Fe and Las Vegas, New Mexico. Read first and second times by title, and referred to the Committee on Internal Improvements.

Council Bill No. 93, making an appropriation to aid in marking the Santa Fe Trail in New Mexico. Read first and second times by title, and referred to the Committee on Internal Improvements.

Council Bill No. 78, providing for the establishment of claims to real estate. Read first and second times by title, and referred to the Committee on Territorial Affairs.

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives, that it has duly concurred in the passage of House Bill No. 193, "An act to amend Section 5 of Chapter 2 of the laws of the Territory of New Mexico, for the year 1905."

Council Bill No. 62, to provide for the appointment of District Attorneys, prescribing their duties and providing for their compensation." Read first and second times by title, and referred to the Committee on Finance.

Council Bill No. 54, making uniform the law of warehouse receipts. Read first and second times by title, and referred to the Committee on Finance.

Council Substitute for Council Bill No. 29, "An act to regulate probate practice." Read first and second times by title, and referred to the Committee on Judiciary.

Council Bill No. 13, "An act to amend Section 688 of the Compiled Laws of 1897, relative to vacancies that may occur in boards

of county commissioners." Read first and second times by title, and referred to the Committee on Judiciary.

Council Substitute for Council Joint Memorial No. 6, relative to Forest Reserves. Read first and second times by title, and referred to the Committee on Territorial Affairs.

Council Bill No. 101, "An act to amend Sections 20 and 21 of Chapter 57 of the Laws of 1907. Read first and second times by title, and referred to the Committee on Judiciary.

Council Bill No. 102, "An act to amend Section 2917 of the Compiled Laws of 1897. Read first and second times by title, and referred to the Committee on Judiciary.

Council Bill No. 68, "An act to repeal Section 466 of the Compiled Laws of New Mexico, relating to corporations." Read first and second times by title, and referred to the Committee on Corporations.

Council Bill No. 86, "An act relating to changing of county seats." Read first and second times by title, and referred to the Committee on Finance.

Council Bill No. 86, "An act relating to changing of county seats." Read first and second times by title, and referred to the Committee on Finance.

Council Substitute for House Joint Resolution No. 4, in reference to the thanks of the people of New Mexico being extended to the Governor of New Mexico and President of the United States, etc. Read first and second times by title, and referred to the Committee on Territorial Affairs.

Council Substitute for Council Bills Nos. 63 and 64, "An act relative to sale of poisons and drugs." Read first and second times by title, and referred to the Committee on Territorial Affairs.

Council Bill No. 70, "An act to validate certain indebtedness of School District No. 8 in the County of Guadalupe." Read first and second times by title, and referred to the Committee on Education.

Council Substitute for Council Bill No. 82, "An act in relation to evidence." Read first and second times by title and referred to the Committee on Judiciary.

Mr. Mullens moved that the House do now revert to the order of the introduction of bills, which motion prevailed.

The following bills were introduced:

House Bill No. 203, introduced by Mr. Valdez, "An act to pro-

mote moral teaching in the public schools." Read first and second times by title, and referred to the Committee on Education.

House Bill No. 204, introduced by Mr. Mirabal, "An act entitled an act to amend an act entitled an act to amend Section 4124 of the Compiled Laws of the Territory of New Mexico of 1897, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 205, introduced by Mr. Mirabal, "An act entitled an act to amend an act to converge and regulate the use and distribution of the waters of New Mexico, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 206, introduced by Mr. Martinez, "An act entitled tled an act to provide for the submission to the people of the counties of New Mexico the question of granting or refusing licenses for the sale of intoxicating liquors, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 207, introduced by Mr. Tipton, "An act entitled an act to amend Section 1, Chapter 40 of the Acts of the Thirty-seventh Legislative Assembly." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 208, introduced by Mr. Tipton, "An act entitled an act to amend Section 915 of the Laws of 1897." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 209, introduced by Mr. Tipton, "An act entitled an act amending Chapter 52 of the Laws of 1903, entitled, an act relating to trust companies." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 210, introduced by Messrs. Mullens and Brice, "An act entitled an act to provide for the regulation of the liquor traffic by local option election, prescribing the penalties, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 211, introduced by Mr. Blattman, "An act entitled an act to establish and create a board known as the Territorial Board of Embalmers of the Territory of New Mexico." Read first

and second times by title, ordered translated and printed, and referred to the Committee on Internal Improvements.

House Bill No. 212, introduced by Mr. Chavez (Sierra), "An act entitled an act to abolish the mounted police and to provide for the protection of life and property." Read first and second times by title, and by request of Mr. Chavez (Sierra), read in full for information. Ordered translated and printed and referred to the Committee on Territorial Affairs.

Mr. Blattman moved that the House do now adjourn until tomorrow afternoon at two o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## THIRTY-FIRST DAY.

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### AFTERNOON SESSION

HOUSE OF REPRESENTATIVES.

Santa Fe, New Mexico, March 4, 1909.

Thursday, 2 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.

Prayer by the Chaplain.

Mr. Wlaters moved that the reading of the journal for the thirtieth day be dispensed with and that the same be approved by the Speaker after inspection, which motion prevailed.

The following reports of standing committees were read and adopted:

"Santa Fe, New Mexico, March 4, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred Council Substitute for House Bills Nos. 36 and 37 has had the same under consideration, and I am directed to report the said Substitute to the House with the recommendation that it be passed with amendments herewith attached:

W. D. TIPTON, Chairman."

"Santa Fe, New Mexico, March 4, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 89, "An act to regulate the use of artesian wells and storage reservoirs connected therewith and to prevent the waste of subterranean flows of water, and for other purposes, and to repeal Chapter 17 of the Laws of 1905, has had the same under consideration and I am directed to report the said bill to the House with the recommendation that House Substitute therefor be passed.

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs, to whom has been referred House Bill No. 129, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

SILVESTRE MIRABAL, Chairman."

This is the minority report:

"Santa Fe, New Mexico, March 2, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs, to whom has been referred House Bill No. 129, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed.

SILVESTRE MIRABAL, Chairman."

Majority Report:

Mr. Mirabal moved that House Bill No. 129 be recommitted, which motion prevailed.

Whereupon House Bill No. 129 was recommitted to the Committee on Territorial Affairs.

"Santa Fe, New Mexico, March 2, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs, to whom has been referred House Bill No. 120, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

SILVESTRE MIRABAL, Chairman."

A message from the Governor of New Mexico was received.

"Santa Fe, New Mexico, March 2, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs to whom has been referred House Bill No. 121, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

SILVESTRE MIRABAL, Chairman."

"Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

Your Committee on Irrigation, to whom has been referred House Bill No. 144, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

H. MARTINEZ, Chairman."

The following messages from the Governor of New Mexico were read:

"Message No. 21.

Santa Fe, New Mexico, March 3, 1909.

To the Honorable, the Speaker of the House of Representatives.  
Thirty-eighth Legislative Assembly of New Mexico.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Bill No. 180, 'An act to amend Chapter 46 of the Laws of the legislative assembly of the Territory of New Mexico for the year 1905.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

"Message No. 22.

Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Bill No. 69, "An act to amend Section 1 of Chapter 67, laws of 1903, relative to Territorial bonded indebtedness, and the redemption thereof."

House Bill No. 54, "An act defining a lawful fence in the Territory of New Mexico."

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

"Santa Fe, New Mexico, March 2, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs, to whom has been referred Council Bill No. 42, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed as amended, which amendment is hereto attached to the said bill.

SILVESTRE MIRABAL, Chairman."

"Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

Your Committee on Territorial Affairs, to whom has been referred Council Bill No. 24, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

SILVESTRE MIRABAL, Chairman."

"Santa Fe, New Mexico, March 2, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred House Bill No. 150, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed.

W. D. TIPTON, Chairman,"

"Santa Fe, New Mexico, March 2, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred House Bill No. 123, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

W. D. TIPTON, Chairman,"

"Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 12, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed as amended, which amendment is attached to the said bill.

PRICE WALTERS, Chairman."

"Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House

Bill No. 165, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

PRICE WALTERS, Chairman."

The following message from the Council was received:

"Mr. Speaker:

The Honorable Council has instructed me to announce to the Honorable House of Representatives, that it has duly passed House Bill No. 10 with certain Council amendments, also that it has duly concurred in the passage of House Substitute for House Bill No. 79, with certain Council amendments; also that it has failed to concur in the passage of House Bill No. 84, but that it has passed in lieu thereof Council Substitute for House Bill No. 84; also that it has duly passed Council Bill No. 50; Council Bill No. 66; Council Bill No. 77, and Council Bill No. 117, and asks the concurrence of this Honorable Body in the same."

"Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 94, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed.

PRICE WALTERS, Chairman."

"Santa Fe, New Mexico, March 3, 1909.

Mr. Speaker

Your Committee on Education, to whom has been referred House Bill No. 60, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

PRICE WALTERS, Chairman."

"Santa Fe, New Mexico, March 4, 1909.

Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 119, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed as amended.

C. J. ROBERTS, Chairman."

Mr. Mirabal moved that the rules be suspended, and that House Bill No. 119 be taken up out of its regular order, which motion prevailed.



House Bill No. 119 read in full for information.

Under further suspension of the rules, on motion of Mr. Mirabal, duly seconded and carried, House Bill No. 119 was read a third time by title preparatory to its passage.

Under further suspension of the rules, Mr. Mirabal moved that House Bill No. 119 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared House Bill No. 119 to have passed the House.

House Resolution No. 11 introduced by Mr. Baca, granting the use of the hall of the House of Representatives to the Good Roads Association for the evening of March 4th, 1909.

Mr. Mullens moved that House Resolution No. 11 do now pass, which motion prevailed.

The following House bills were introduced:

House Bill No. 213, introduced by Mr. Mirabal, "An act relative to the publication of legal notices and other matters wherein publication is required, regulating the price to be charged therefor, and providing a penalty, repealing certain sections of the Compiled Laws of New Mexico of 1897, and for other purposes." Read first and second times by title, and in full for information.

Mr. Baca moved that the rules be suspended and that House Bill No. 213 be considered translated, printed and referred, and that it be read a third time by title preparatory to its passage. The roll call being demanded resulted as follows:

Ayes—Baca, Baker, Brice, Brown, Bushkevitz, Chavez (Sierra) Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Walters, Mr. Speaker—18.

Nays—Blattman, Gallegos, Moffett, Mullens, Pacheco, Valdez, —6.

The result being in the affirmative, House Bill No. 213 was read a third time by title preparatory to its passage.

Under further suspension of the rules, Mr. Baca moved that House Bill No. 213 do now pass, and the roll resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Walters, Mr. Speaker—18.

Nays—Blattman, Gallegos, Moffett, Mullens, Pacheco, Valdez—6.

The result being in the affirmative the Speaker declared House Bill No. 213 to have passed the House.

House Bill No. 214, introduced by Mr. Blattman, "An act to provide for the accurate keeping of accounts of all moneys received and disbursed by the clerks of the district courts and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 215, introduced by Mr. Chavez (Sierra), "An act relating to epidemics in the Territory of New Mexico and providing for the care and protection of poor families and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 216, introduced by Mr. Chavez (Sierra), "An act providing for the levying of a tax upon all classes of dogs in the Territory of New Mexico." Read first and second times by title and referred to the Committee on Live Stock.

House Bill No. 217, introduced by Mr. Sanchez, "An act to repeal Chapter 91 of the laws of the Thirty-seventh Legislative Assembly of the Territory of New Mexico." Read first and second times by title, ordered translated and printed, and referred to the Committee on Territorial Affairs.

House Bill No. 218, introduced by Mr. Martinez, "An act to establish the New Mexico Spanish-American Normal School." Read first and second times by title, and by request of Mr. Sanchez in full for information. Ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 219, introduced by Mr. Pacheco, "An act entitled an act to provide for the distribution of school moneys, etc." Read first and second times by title, ordered translated and printed, and referred to the Committee on Education.

House Bill No. 220, introduced by Mr. Baca, "An act to provide for the payment of premiums on bonds of Territorial, County, District or Precinct Officials." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 221, introduced by Mr. Baca, "An act entitled an act in relation to officers of boards charged with the custody of public buildings belonging to the Territory of New Mexico." Read first and second times by title, ordered translated and printed and referred to the Committee on Public Institutions.

House Bill No. 222, introduced by Mr. Baca, "An act entitled an act to amend Section 2226 of the Compiled Laws of New Mexico of the year 1897." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

The following Council Bills on the Speaker's table were taken up, read first and second times by title, and referred:

Council Bill No. 52, "An act creating District Attorneys for the Counties of Union and Colfax." Referred to the Committee on Territorial Affairs.

Council Bill No. 8, "An act to provide for the government of certain cities and towns, etc." Referred to the Committee on Corporations.

Council Bill No. 50, "An act fixing the qualifications of voters at elections for School Directors in the Territory of New Mexico." Referred to the Committee on Education.

Council Bill No. 66, "An act to provide for the preservation of historical structures and objects." Referred to the Committee on Internal Improvements.

Council Bill No. 77, "An act relative to the distribution of money from forests." Referred to the Committee on Territorial Affairs.

Council Bill No. 117, "An act providing for the binding of records and briefs of all causes in the Supreme Court of the Territory of New Mexico in order to preserve the same for the use of the court and litigants." Referred to the Committee on Judiciary.

Council Amendments to House Bill No. 10 taken up and read in full.

Mr. Garcia moved that the House do now concur in the Council Amendments to House Bill No. 10, which motion prevailed.

Council Amendments to House Judiciary Substitute for House Bill No. 79 taken up and read in full.

Mr. Davidson moved that the House do now concur in the Council Amendments to House Judiciary Substitute for House Bill No. 79, which motion prevailed.

Mr. Martinez moved that the House do now adjourn until tomorrow morning at ten o'clock.

Mr. Roberts offered an amendment to the motion of Mr. Martinez that the House do now adjourn until Monday afternoon at two o'clock, and the roll call being demanded, resulted as follows:

Ayes—Baca, Baker, Brice, Brown, Bushkevitz, Chavez (Bernal-

illo), Davidson, Gallegos, Garcia, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Walters, Mr. Speaker—17.

Nays—Blattman, Chavez (Sierra), Martinez, Mirabal, Pacheco, Sanchez, Valdez—7.

The result being in the affirmative, the House adjourned until Monday afternoon at two o'clock.

Approved:

E. A. MIERA,  
Speaker

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## THIRTY-SECOND DAY.

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### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, March 8, 1909.

Nonday, 2 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Messrs. Bushkevitz, Gallegos, and Sweezy, excused, the House proceeded to business.

Prayer by the Chaplain.

Mr. Walters moved that the reading of the journal of the thirty-first day be dispensed with, and that the same be approved by the Speaker after inspection, which motion prevailed.

The Speaker announced that his Excellency, the Governor of the Territory of New Mexico, had requested him to inform the House of Representatives that the dinner to be given by him was postponed on account of his sickness until Saturday night, March 12th, 1909.

The Speaker also announced that Mr. Pinchot would address the joint assembly in the hall of the House of Representatives on Saturday, March 12th, 1909, at four o'clock P. M.

A message from the governor of New Mexico was received.

The following message from the Council was announced:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has duly concur-

red in the passage of House Bill No. 37, House Bill No. 73, House Bill No. 87, House Bill No. 196, and House Bill No. 200; that it has also passed Council Joint Resolution No. 16, Council Substitutes for Council Bill No. 6, Council Bill No. 76, Council Bill No. 90, Council Bill No. 97, and asks the concurrence of this Honorable Body in the same."

The following message from the Governor was read:

"Message No. 23.

Santa Fe, New Mexico, March 5, 1909.

Gentlemen:

I have the honor to inform you that I have this day allowed House Substitute for House Bill No. 105, "An act to regulate and fix the fees of sheriffs in the Territory of New Mexico," to become law by limitation.

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico.

Mr. Sanchez moved that the rules be suspended and that Council Joint Resolution No. 3 be taken up out of its regular order, which motion prevailed.

Under suspension of the rules, on motion of Mr. Sanchez, duly seconded and carried, Council Joint Resolution No. 3 was considered referred, and was read a third time in full preparatory to its passage.

Under further suspension of the rules, Mr. Sanchez moved that Council Joint Resolution No. 3 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Tipton, Valdez, Walters, Mr. Speaker—21.

The vote being unanimous the Speaker declared Council Joint Resolution No. 3 to have passed the House.

The following House Petitions relative to local option were presented, read first and second times by title, and referred to the Committee on Territorial Affairs.

House Petition No. 57, signed by 29 citizens of Maxwell City, New Mexico.

House Petition No. 58, presented by Mr. Brice, signed by 85 citizens of Artesia, New Mexico.

House Petition No. 59, presented by Mr. Davidson, signed by 97 additional names from Deming, New Mexico.

House Petition No. 62, signed by 167 children of the Parochial School.

House Petition No. 63, presented by Mr. Chavez (Bernalillo.)

House Petition No. 65, presented by Mr. Blattman.

House Petitions Nos. 60 and 61, presented by Mr. Davidson, to amend Section 2, Chapter 115 of the Laws of 1905 of the Territory of New Mexico. Read first and second times by title, and referred to the Committee on Judiciary.

House Petition No. 64, presented by Mr. Baca, with reference to irrigation. Read first and second times by title, and referred to the Committee on Irrigation.

The following reports from standing committees were read and adopted:

"Mr. Speaker:

Your Committee on Penitentiary, to whom has been referred House Bill No. 108, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed as amended. The amendments are attached to said bill.

A. A. GALLEGOS, Chairman."

"Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 143, "An act entitled an act to prohibit the marriage between Caucasians and negroes, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that the House Substitute therefor be passed.

C. J. ROBERTS, Chairman."

"Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 149, 'An act providing for the release of mortgages and deeds of trust,' has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that House Substitute be passed in lieu thereof.

C. J. ROBERTS, Chairman."

"Mr. Speaker:

Your Committee on Judiciary, to whom has been referred House Bill No. 136, "An act defining the powers of the several district courts of the Territory of New Mexico in reference to the care, treatment, and control of dependent, neglected, incorrigible and indigent children, etc.," has had the same under considera-

tion, and I am directed to report the said bill to the House with the recommendation that House Substitute therefor be passed.

C. J. ROBERTS, Chairman."

"Mr. Speaker:

Your Committee on Corporations, to whom has been referred Council Bill No. 68, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

POWELL STACKHOUSE JR., Chairman."

"Mr. Speaker:

Your Committee on Finance, to whom has been referred Council Joint Resolution No. 15, has had the same under consideration, and I am directed to report the said Council Joint Resolution to the House with the recommendation that it be passed.

W. D. TIPTON, Chairman."

"Mr. Speaker:

Your Committee on Finance, to whom has been referred Council Bill No. 54, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

W. D. TIPTON, Chairman."

"Mr. Speaker:

Your Committee on Finance, to whom has been referred Council Bill No. 62, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

W. D. TIPTON, Chairman."

"Mr. Speaker:

Your Committee on Finance, to whom has been referred Council Bill No. 91, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

W. D. TIPTON, Chairman."

"Santa Fe, New Mexico, March 8, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred House Bill No. 186, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be not passed, but that Finance Committee Substitute for House Bill No. 186 be passed in lieu thereof.

W. D. TIPTON, Chairman."

"Santa Fe, New Mexico, March 8, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred House Bills Nos. 127, 128, 134 and 135, relative to the completion of armories, has had the same under consideration, and I am directed to report the said bills to the House with the recommendation that they be not passed, but that House Finance Committee Substitute for House Bills Nos. 127, 128, 134 and 135, be passed in lieu thereof.

W. D. TIPTON, Chairman."

"Santa Fe, New Mexico, March 8, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred House Bill No. 162, has had the same under consideration, and I am directed to report that it be not passed, but that House Finance Committee Substitute be passed in lieu thereof.

W. D. TIPTON, Chairman."

"Santa Fe, New Mexico, March 8, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred House Bill No. 152, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed including Memorial No. 2.

W. D. TIPTON, Chairman."

"Santa Fe, New Mexico, March 8, 1909.

Mr. Speaker:

Your Committee on Finance, to whom has been referred Council Bill No. 86, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

W. D. TIPTON, Chairman."

"Santa Fe, New Mexico, March 8, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred House Bill No. 10, has had the same under consideration, and I am directed to report that the said bill has been correctly enrolled and engrossed.

POWELL STACKHOUSE JR., Chairman."



"Santa Fe, New Mexico, March 8, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred House Judiciary Committee Substitute for House Bill No. 79, has had the same under consideration, and I am directed to report that the said bill has been correctly enrolled and engrossed.

POWELL STACKHOUSE JR., Chairman."

"Santa Fe, New Mexico, March 8, 1909.

Mr. Speaker:

Your Committee on Roads and Highways, to whom has been referred House Bill No. 39, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed as amended.

W. L. BLATTMAN, Chairman."

"Santa Fe, New Mexico, March 8, 1909.

Mr. Speaker:

Your Committee on Irrigation, to whom has been referred House Bill No. 172, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

H. MARTINEZ, Chairman."

"Santa Fe, New Mexico, March 8, 1909.

Mr. Speaker:

Your Committee on Education, to whom has been referred House Bill No. 130, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

PRICE WALTERS, Chairman."

House Resolution No. 12, introduced by Mr. Martinez, on the death of the Honorable Francisco P. Chavez. Read first and second times by title, and in full as follows:

"House Resolution on the death of Hon. Francisco P. Chavez of Rio Arriba county, ex-member of the Twenty-seventh Legislative Assembly of the Territory of New Mexico, which occurred on the 6th day of March, 1909, and

Whereas, in addition to his services as a member of the Legislative Assembly, he at various times served the people of his home county in various official capacities not only with credit and

honor to himself, but to the satisfaction and benefit of the people of his home county, and

Whereas, the people of the Territory of New Mexico, in general and the people of Rio Arriba county in particular, have by his death lost a good citizen, and honest and upright advocate and friend, and his family a good husband and father,

Therefore *Be It Resolved*, That as a mark of our respect and esteem, and to show our sympathy for his family in their bereavement, that when this House adjourns, it shall remain adjourned until two o'clock tomorrow afternoon, and be it

*Further Resolved*, That these Resolutions be spread upon the records of the House proceedings, and that an engrossed copy of the same be forwarded to Mrs. Francisco P. Chavez at Santa Fe, New Mexico."

On motion of Mr. Martinez, duly seconded and carried, the rules were suspended and House Resolution No. 12 was considered translated, printed and referred, and was read a third time by title preparatory to its passage.

Under further suspension of the rules, Mr. Martinez moved that House Resolution No. 12 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Tipton, Valdez, Walters, Mr. Speaker—21.

The result being unanimous, the Speaker declared House Resolution No. 12 to have passed the House.

The following bills were introduced:

House Bill No. 223, introduced by Mr. Blattman, "An act amending Chapter 5, Section 11 of the Session Laws of 1905." Read first and second times by title.

Mr. Blattman moved that the rules be suspended, and that House Bill No. 223 be considered translated and printed, and referred to the proper committee at once, which motion prevailed.

House Bill No. 223 referred to the Committee on Insurance.

House Bill No. 224, introduced by Mr. Brown, by request, "An act providing for the examination of books and accounts of county officials of the Territory of New Mexico." Read first and second times by title, ordered translated and printed and referred to the Committee on Finance.

House Bill No. 225, introduced by Mr. Chavez (Bernalillo),

"An act providing and fixing a way for the employment of employees by railroad companies." Read first and second times by title, and ordered translated and printed, and referred to the Committee on Railroads.

House Bill No. 226, introduced by Mr. Garcia, "An act to enable persons interested in Spanish or Mexican Land Grants to present to the district courts their petitions in chancery." Read first and second times by title, ordered translated and printed, and referred to the Committee on Mines and Public Lands.

House Bill No. 227, introduced by Mr. Pacheco, "An act to amend Chapter 7 of the Compiled Laws of 1897 of the Territory of New Mexico." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 228, introduced by Mr. Chavez (Sierra), "An act to establish a hospital at Paloma, Hot Springs in Sierra County, Territory of New Mexico, and providing an appropriation therefor, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Finance.

House Bill No. 229, introduced by Mr. Valdez by request, "An act to amend Section 4, Chapter 60 of the Session Laws of 1905, with reference to compensation for probate clerks." Read first and second times by title, ordered translated and printed, and referred to the Committee on Finance.

House Bill No. 230, introduced by Mr. Walters, "An act defining the duties of clerks of the probate court in certain cases, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 231, introduced by Mr. Tipton, "An act to amend Section 2 of Chapter 89 of the Laws of the Thirty-fourth Legislative Assembly of the Territory of New Mexico, and for other purposes." Read first and second times by title, ordered translated and printed and referred to the Committee on Judiciary.

House Bill No. 232, introduced by Mr. Tipton, "An act to provide separate coaches for the white and negro races in this territory, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Internal Improvements.

House Bill No. 233, introduced by Mr. Brice, "An act to create the office of police judge in towns and villages with one thousand inhabitants or more, and for other purposes." Read first and sec-

ond times by title, ordered translated and printed and referred to the Committee on Corporations.

House Bill No. 234, introduced by Mr. Brice, "An act to repeal Chapter 116 of the acts of the Thirty-fifth Legislative Assembly of the Territory of New Mexico, approved March 1903, and to enact three sections in lieu thereof, to be known as Sections 1, 2 and 3." Read first and second times by title, ordered translated and printed, and referred to the Committee on Judiciary.

House Bill No. 235, introduced by Mr. Brice, "An act to enable cities, towns and villages of the Territory of New Mexico to procure water for irrigation purposes and to assess the cost and expense of such irrigation against the property to be benefited thereby, and for other purposes." Read first and second times by title, ordered translated and printed, and referred to the Committee on Corporations.

By unanimous consent Mr. Brown introduced House Resolution No. 13, which was read in full as follows:

Be it resolved by the House of Representatives of the Thirty-eighth Legislative Assembly: That during the remainder of this session no measure introduced by the members of the House of Representatives shall be printed, or translated, but shall be immediately referred to its proper committee.

On motion of Mr. Brown, duly seconded and carried, the rules were suspended and House Resolution No. 13 was considered translated, printed and referred, and was read a third time by title, preparatory to its passage.

Under further suspension of the rules Mr. Brown moved that House Resolution No. 13 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Tipton, Valdez, Walters, Mr. Speaker—21.

The vote being unanimous, the Speaker declared House Resolution No. 13, to have passed the House.

House Bill No. 236, introduced by Mr. Brice, "An act creating county school districts in the Territory of New Mexico, and for other purposes." Read first and second times by title, and referred to the Committee on Education.

House Bill No. 237, introduced by Mr. Davidson, "An act in relation to the qualifications of voters, and repealing Chapter 21 of

the laws of 1907." Read first and second times by title, and referred to the Committee on Territorial Affairs.

House Bill No. 238, introduced by Mr. Roberts, "An act providing for the payment of moneys which have been advanced or paid into the land office for territorial lands under contracts, which were never carried out by the Territory or its officials." Read first and second times by title, and referred to the Committee on Finance.

House Bill No. 239, introduced by Mr. Davidson, "An act to amend Section 2, Chapter 115 of the Session Laws of 1905." Read first and second times by title, and referred to the Committee on Judiciary.

House Bill No. 240, introduced by Mr. Davidson, "An act providing for the liquidation of judgements against counties." Read first and second times by title, and referred to the Committee on Counties and County Lines.

House Bill No. 241, introduced by Mr. Mullens, "An act to regulate the sale of liquor on election days, and for other purposes." Read first and second times by title, and referred to the Committee on Territorial Affairs.

House Bill No. 242, introduced by Mr. Mullens, "An act permitting the segregation of city and county taxes, and for other purposes." Read first and second times by title, and referred to the Committee on Counties and County Lines.

Mr. Blattman moved that the House do now adjourn until tomorrow afternoon at two o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALIZAR,  
Chief Clerk.

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## THIRTY-THIRD DAY.

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### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, March 9, 1909.

Tuesday, 2 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Mr. Bushkevitz, excused, the House proceeded to business.

Prayer by the Chaplain.

Mr. Gallegos moved that the reading of the journal of the thirty-second day be dispensed with, and that the same be approved by the Speaker after inspection, which motion prevailed.

By unanimous consent, Mr. Roberts introduced House Resolution No. 14.

On motion of Mr. Roberts, duly seconded and carried, the rules were suspended, and House Resolution No. 14 was read in full as follows:

"Be it resolved by the House of Representatives of the Thirty-eighth Legislative Assembly of the Territory of New Mexico:

"That C. J. Roberts, W. L. Blattman, W. D. Tipton, H. Martinez and C. R. Brice be and they are hereby appointed to act as a steering committee, and that hereafter no bills, resolutions, or other matter, requiring legislative action, shall be considered unless the same are reported from the said steering committee and this resolution shall be a standing rule of the House until final adjournment thereof."

Mr. Roberts moved that House Resolution No. 14 do now pass.

Mr. Mirabal moved an amendment to the motion of Mr. Roberts that House Resolution No. 14 be tabled indefinitely, and the roll call being demanded, resulted as follows:

Ayes—Baca, Chavez ((Bernalillo), Mirabal, Sanchez.—4

Nays—Baker, Blattman, Brice, Brown, Chavez (Sierra), Davidson, Gallegos, Garcia, Martinez, Moffett, Mullens, Pacheco, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker —19.

Said amendment was lost.

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has duly concurred in the passage of House Bill No. 124; it has also passed Council Joint Resolution No. 13, Council Bill No. 59, Council Joint Resolution No. 13, Council Bill No. 59, Council Substitute for Council Bill No. 96, Council Bill No. 104, Council Bill No. 122, Council Bill No. 128 and Council Bill No. 129, and asks the concurrence of this Honorable Body in the same."

Mr. Baca offered an amendment to House Resolution No. 14, which was read as follows:

"Provided further that all bills on third reading shall be considered by the House without going to the Steering Committee, the same of all bills on the Speaker's table, and that the committee shall consist of seven members appointed by the Speaker and not as named above."

Mr. Baca moved that said amendment be adopted, and the roll call being demanded resulted as follows:

Ayes—Baca, Chavez (Bernalillo), Mirabal, Sanchez—4.

Nays—Baker, Blattman, Brice, Brown, Chavez (Sierra), Davidson, Gallegos, Garcia, Martinez, Moffett, Mullens, Pacheco, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—19.

Said motion was lost and the question recurred on the motion of Mr. Roberts that House Resolution No. 14 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Chavez (Sierra), Davidson, Gallegos, Garcia, Martinez, Moffett, Mullens, Pacheco, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—18.

Nays—Baca, Chavez (Bernalillo), Mirabal, Sanchez, Walters—5.

Said motion prevailed and the Speaker declared House Resolution No. 14 to have passed the House.

The following message from the Governor was received and read:

"Message No. 24.

"Santa Fe, New Mexico, March 8, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Bill No. 80, "An act to provide for the recording of certified copies of patents issued by the United States for land."

House Bill No. 193, "An act to amend Section 5 of Chapter 2 of the laws of New Mexico for the year 1905, A. D., relating to Torrance County."

Council Bill No. 56, 'An act authorizing certain cities in the Territory of New Mexico to extend and enlarge the limits of such city.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

By unanimous consent Mr. Valdez introduced House Bill No. 243, "An act to establish a Board of Railroad Commissioners

in the Territory of New Mexico and to regulate railroad, telegraph and telephone companies, and for other purposes." Read first and second times by title and referred to the Steering Committee.

Mr. Roberts moved that the House do now take a recess until three thirty o'clock this afternoon for the purpose of giving the Steering Committee an opportunity to report, which motion prevailed.

Mr. Speaker called the House to order, and by unanimous consent Mr. Blattman introduced House Resolution No. 15, which was read as follows:

"Be it resolved by the House of Representatives of the Thirty-eighth Legislative Assembly that all committees having in their possession House or Council bills are hereby directed to turn all bills over to the Steering Committee."

On motion of Mr. Blattman, duly seconded and carried, the rules were suspended, and House Resolution No. 15 was considered referred, and was read a third time by title preparatory to its passage.

Under further suspension of the rules, Mr. Blattman moved that House Resolution No. 15 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Chavez (Sierra) Davidson, Gallegos, Garcia, Martinez, Mullens, Pacheco, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—18.

Nays—Baca, Chavez (Bernalillo), Mirabal, Sanchez—4.

The result being in the affirmative, the Speaker declared House Resolution No. 15 to have passed the House.

The following message from the Council was announced:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has duly passed Council Bill No. 133 and asks the concurrence of this Honorable Body in the same."

The following report of the Steering Committee was read:

"To the Speaker and House of Representatives:

We, your Steering Committee, recommend that the following bills on the Speaker's table be taken up and passed today, or as many of the same as can be reached: 18, 40, 58, 70 as amended by Council, 94, 99, 110, 113, 114, 120, 121, 131, 133, 144, 160, 161, 143, 149 House Substitute, 136, House Substitute, House Substitute for House Bills Nos. 127, 128, 134, 135 — 162, Substitute



for House Bill No. 162, 172, 130, 186, Substitute 89, House Substitute as amended.

C. J. ROBERTS, Chairman."

Mr. Martinez moved that the rules be suspended, and that the bills reported by the Steering Committee be considered read in full, and be now read a third time by title preparatory to their passage and the roll call being demanded resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Chavez (Sierra), Davidson, Garcia, Martinez, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—17.

Nays—Baca, Chavez (Bernalillo), Gallegos, Mirabal, Pacheco, Sanchez—6.

The result being in the affirmative, the rules were suspended and the bills reported by the Steering Committee were considered read a third time in full.

Under the suspension of the rules the following bills reported by the Steering Committee were taken up:

House Bill No. 18, read a third time by title preparatory to its passage.

Mr. Brice moved that House Bill No. 18 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Chavez (Sierra), Davidson, Gallegos, Garcia, Mirabal, Moffett, Mullens, Pacheco, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—19.

Nays—Chavez (Bernalillo), Sanchez—2.

The result being in the affirmative the Speaker declared House Bill No. 18 to have passed the House.

House Bill No. 130, read a third time by title preparatory to its passage. Mr. Blattman moved that House Bill No. 130 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

Nays—Sanchez—1.

The result being in the affirmative the Speaker declared House Bill No. 130 to have passed the House.

House Bill No. 40 read a third time by title preparatory to its passage. Mr. Martinez moved that House Bill No. 40 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mira-

bal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous, the Speaker declared House Bill No. 40 to have passed the House.

House Bill No. 58, read a third time by title, preparatory to its passage. Mr. Walters moved that House Bill No. 58 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared House Bill No. 58 to have passed the House.

House Bill No. 110 read a third time by title preparatory to its passage. Mr. Blattman moved that House Bill No. 110 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared House Bill No. 110 to have passed the House.

House Bill No. 70 read a third time by title preparatory to its passage.

Mr. Tipton moved that House Bill No. 70 do now pass and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared House Bill No. 70 to have passed the House.

House Bill No. 94, read a third time by title preparatory to its passage.

Mr. Sweezy moved that House Bill No. 94 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—22.

Nays—Walters—1.

The result being in the affirmative the Speaker declared House Bill No. 94 to have passed the House.

House Bill No. 99 read a third time by title preparatory to its passage.

Mr. Baca moved that House Bill No. 99 do now pass and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared House Bill No. 99 to have passed the House.

Amended House Bill No. 113 read a third time by title preparatory to its passage. Mr. Mirabal moved that House Bill No. 113 as amended do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared House Bill No. 113, as amended, to have passed the House.

House Bill No. 114 read a third time by title preparatory to its passage.

Mr. Brice moved that House Bill No. 114 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared House Bill No. 114 to have passed the House.

House Bill No. 120 read a third time by title preparatory to its passage. Mr. Roberts moved that House Bill No. 120 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared House Bill No. 120 to have passed the House.

House Bill No. 121, read a third time by title preparatory to its passage.

Mr. Blattman moved that House Bill No. 121 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra).

Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Mr. Speaker—22.

Nays—Walters—1.

The result being in the affirmative, the Speaker declared House Bill No. 121 to have passed the House.

The following message from the Council was received:

“Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has duly passed Council Bill No. 46 and Council Bill No. 100, and asks the concurrence of this Honorable Body in the same.”

House Bill No. 131 read a third time by title preparatory to its passage.

Mr. Chavez (Sierra), moved that House Bill No. 131 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared House Bill No. 131 to have passed the House.

House Bill No. 133 read a third time by title preparatory to its passage.

Mr. Tipton moved that House Bill No. 133 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous, the Speaker declared House Bill No. 133 to have passed the House.

House Bill No. 144 read a third time by title preparatory to its passage.

Mr. Roberts moved that House Bill No. 144 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—20.

Nays—Mirabal, Pacheco, Sanchez—3.

The result being in the affirmative, the Speaker declared House Bill No. 144 to have passed the House.

House Bill No. 160 read a third time by title preparatory to its passage.

Mr. Tipton moved that House Bill No. 160 do now pass and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—21.

Nays—Brice, Mullens—2.

The result being in the affirmative the Speaker declared House Bill No. 160 to have passed the House.

House Bill No. 161 read a third time by title, preparatory to its passage.

Mr. Martinez moved that House Bill No. 161 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared House Bill No. 161 to have passed the House.

House Substitute for House Bill No. 143 read in full preparatory to its passage.

Mr. Mullens moved that House Substitute for House Bill No. 143 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared House Substitute for House Bill No. 143 to have passed the House.

House Substitute for House Bill No. 149 read in full preparatory to its passage.

Mr. Walters asked that he be extended time in which to prepare an amendment to House Substitute for House Bill No. 149, which request was granted.

House Substitute for House Bill No. 136, read a third time by title, preparatory to its passage.

Mr. Sweezy moved that House Substitute for House Bill No. 136 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mira-

bal, Moffett, Mullens, Pacheco, Roberta, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared House Substitute for House Bill No. 136 to have passed the House.

Mr. Walters offered the following amendment to House Substitute for House Bill No. 149, which was read:

Amend House Substitute for House Bill No. 149 by striking out all of Section 1 after the word "Recorded" in line seven of the House Substitute for House Bill No. 149.

Mr. Walters moved that the amendment be adopted, which motion prevailed.

Mr. Mullens moved that House Substitute for House Bill No. 149 as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous the Speaker declared House Substitute for House Bill No. 149 as amended to have passed the House.

House Finance Committee Substitute for House Bills Nos. 127, 128, 134 and 135 read a third time by title preparatory to its passage.

Mr. Tipton moved that House Finance Committee Substitute for House Bills Nos. 127, 128, 134 and 135 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—20.

Nays—Mirabal, Pacheco, Sanchez—3.

The result being in the affirmative the Speaker declared House Finance Committee Substitute for House Bills Nos. 127, 128, 134 and 135 to have passed the House.

Finance Committee Substitute for House Bill No. 162 read a third time by title preparatory to its passage.

Mr. Tipton moved that House Finance Committee Substitute for House Bill No. 162 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The result being unanimous the Speaker declared House Finance

Committee Substitute for House Bill No. 162 to have passed the House.

House Bill No. 172 read a third time by title preparatory to its passage.

Mr. Brown moved that House Bill No. 172 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Davidson, Gallegos, Martinez, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—18.

Nays—Garcia, Mirabal, Pacheco, Sanchez—4.

The result being in the affirmative the Speaker declared House Bill No. 172 to have passed the House.

House Finance Committee Substitute for House Bill No. 186 read a third time by title preparatory to its passage.

Mr. Tipton moved that House Finance Committee Substitute for House Bill No. 186 do now pass and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Davidson, Gallegos, Garcia, Martinez, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—21.

Nays—Mirabal—1.

The result being in the affirmative the Speaker declared House Finance Committee Substitute for House Bill No. 186 to have passed the House.

House Substitute for House Bill No. 89 read a third time by title preparatory to its passage.

Mr. Mullens moved that House Substitute for House Bill No. 89 do now pass and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The result being in the affirmative the Speaker declared House Substitute for House Bill No. 89 to have passed the House.

The following Council Bills were read first and second times by title, and referred to the Steering Committee:

Council Bill No. 133, "An act entitled an act permitting certain persons to bring suits against the Territory."

Council Bill No. 46, "An act entitled an act to prohibit the making or publishing of false or exaggerated statements concerning the financial condition of joint stock associations."

Council Bill No. 100, "An act entitled an act authorizing County Commissioners to dispose of public buildings, etc."

Mr. Pacheco moved that the House do now adjourn until tomorrow afternoon at two o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## THIRTY-FOURTH DAY.

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### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, March 10, 1909.

Wednesday, two o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Mr. Bushkevitz, excused, the House proceeded to business.

Prayer by the Chaplain.

The journal of the thirty-third day was read in full in English.

Mr. Garcia moved that the reading of the journal of the Thirty-third day in Spanish be dispensed with, and that the same be approved as read, which motion prevailed.

By unanimous consent, Mr. Blattman introduced House Joint Resolution No. 7, which was read as follows:

BE IT RESOLVED: By the House of Representatives, the Council concurring, that the Territorial Secretary be directed, and is hereby authorized to furnish each member of the 38th Legislative Assembly of the Territory of New Mexico, with a copy of the revised laws of the Territory, a copy of the session laws of 1909, and copies of the Council and House journals for the year 1909; which said copies heretofore mentioned the Secretary shall forward to the home address of the members of the 38th Legislative Assembly.

Mr. Blattman moved that the rules be suspended, and that House Joint Resolution No. 7 be considered referred, and now read a third time in full preparatory to its passage, which motion prevailed.



House Joint Resolution No. 7 read in full.

Mr. Blattman moved that House Joint Resolution No. 7 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brown, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—20.

Nays—Brice, Davidson, Walters—3.

The result being in the affirmative, the Speaker declared House Joint Resolution No. 7 to have passed the House.

The Speaker announced having signed the following:

House Bills Nos. 62, 30 and amended House Bill No. 28.

By unanimous consent the following bills were introduced, read a first and second time by title and referred to the Steering Committee:

House Bill No. 244, introduced by Mr. Baca, "An act to provide for the disposition of certain interest money, etc."

House Bill No. 245, introduced by Mr. Blattman, "An act for the payment of compensation to county superintendents out of county school funds of the county and for other purposes."

House Bill No. 246, introduced by Mr. Mullens, "An act to regulate the numbering of automobiles, and for other purposes."

House Bill No. 247, introduced by Mr. Martinez by request, "An act to create the County of Lee."

House Bill No. 248, introduced by Mr. Mirabal, "An act to amend an act for the repression of contagious and infectious diseases among cattle, horses, mules and asses, and to provide for the extirpation of such diseases and to protect the public health, being Council Bill No. 34, of the 38th Legislative Assembly of the Territory of New Mexico, approved by the Governor, February 25, 1909, and to amend Section 213 of the Compiled Laws of 1897, and to re-enact Section 231 of said Compiled Laws."

House Bill No. 249, introduced by Mr. Tipton, "An act for the protection of game, etc."

House Bill No. 250, introduced by Mr. Baca, "An act relative to the election of school directors."

House Bill No. 251, introduced by Mr. Pacheco, "An act to amend Chapter 94 of the acts of the 37th Legislative Assembly of the Territory of New Mexico."

House Bill No. 252, introduced by Mr. Pacheco, "An act providing for the organization and government of water users' associations."

House Bill No. 253, introduced by Mr. Sanchez, "An act to appropriate \$10,000 for an armory at Belen, Valencia County, New Mexico."

House Bill No. 254, introduced by Mr. Brice, "An act to amend Section 2892 of the Compiled Laws of 1897."

House Bill No. 255, introduced by Mr. Brice, "An act to amend Section 2 of Chapter 77, of the acts of the 37th Legislative Assembly of the Territory of New Mexico with reference to deputy district clerks."

House Bill No. 256, introduced by Mr. Chavez (Sierra), "An act abolishing the county of Sierra, and to re-create the same and for other purposes."

On motion of Mr. Chavez (Sierra), duly seconded and carried, the rules were suspended, and the Steering Committee was instructed to report at once on House Bill No. 256.

The following report of the Steering Committee was read, and adopted on motion of Mr. Chavez (Sierra.)

"To the Honorable Speaker and Members of the House:  
Gentlemen:

We, your Steering Committee recommend the passage of House Bill No. 256.

C. J. ROBERTS, Chairman."

Under further suspension of the rules, Mr. Chavez (Sierra), moved that House Bill No. 256 be now read a third time in full preparatory to its passage, which motion prevailed.

House Bill No. 256 read in full in English, and on motion of Mr. Blattman, the reading in Spanish was dispensed with.

Under further suspension of the rules, Mr. Chavez (Sierra), moved that House Bill No. 256 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Mofett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tip-ton, Valdez, Walters, Mr. Speaker—22.

The vote being unanimous the Speaker declared House Bill No. 256 to have passed the House.

A message from the Governor of New Mexico was received:

By unanimous consent the following bills were introduced, read first and second times by title and referred to the Steering Committee.

House Bill No. 257 introduced by Mr. Sanchez, "An act to

abolish the County of Torrance and re-create the County of Torrance."

House Bill No. 258, introduced by Mr. Mirabal, "An act to prevent droves or flocks of animals from trespassing upon private lands and water."

The following messages from the Governor of New Mexico were read:

"Message No. 25.

Santa Fe, New Mexico, March 10, 1909.

Gentlemen:

I sincerely hope that the present legislative assembly will not adjourn before creating a permanent conservation commission. Practically every state and territory in the Union have established commissions of this character, and New Mexico is vitally interested in the preservation and conservation of her natural resources. At the request of the President of the United States I last year appointed a temporary commission consisting of three members, namely, Hon. Solomon Luna, Hon. A. A. Jones and Hon. H. W. Kelly. These gentlemen have served voluntarily and without compensation and their work has been of value to the territory especially in dealing with the forestry bureau.

I am, Gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

"Message No. 26.

Santa Fe, New Mexico, March 10, 1909.

Gentlemen:

I have the honor to suggest the propriety of the passage of a Joint Resolution addressed to the Honorable President of the Senate of the United States, and to the Honorable Speaker of the House of Representatives thereof, urgently requesting the appointment of a Joint Committee of the Senate and House of Representatives, to visit New Mexico and investigate conditions here relative to the Territory's fitness for admission to the Union.

I desire to further respectfully suggest that in passing the resolution referred to, the statement be made that New Mexico through its Legislative Assembly courts the fullest investigation of conditions existing here and of everything pertaining to the conduct of the public business of this territory.

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

House Bill No. 259, introduced by Mr. Mirabal, "An act to amend Chapter 7 of the Compiled Laws of 1897, and for other purposes."

House Bill No. 260, introduced by Mr. Mirabal, "An act to amend Section 2 of Chapter 65 of the Laws of 1907."

House Bill No. 261, introduced by Mr. Valdez by request, "An act providing for the election of City Marshals in incorporated cities."

House Bill No. 262, introduced by Mr. Tipton, "An act providing funds and making appropriations for the sixty-first and sixty-second fiscal years, and for other purposes."

The following report of the Steering Committee was read in full:

"Santa Fe, New Mexico, March 10, 1909."

To the Honorable Speaker and Members of the House of Representatives:

Gentlemen:

We, your Steering Committee, would respectfully recommend that the following bills be taken up for consideration in the following order:

House Bill No. 98, as amended; Council Joint Memorial No. 5; Council Joint Resolution No. 15; Council Joint Resolution No. 16; the following Council Bills: Nos. 44, 68, 129, 62, 59, 54, 91, 104, 90, 156, 245.

C. J. ROBERTS, Chairman."

Mr. Roberts moved that the rules be suspended and that all bills, memorials and resolutions reported by the Steering Committee be considered read in full, unless the reading thereof be requested by some member, and that said bills, memorials and resolutions be read a third time by title preparatory to their passage, which motion prevailed.

Under suspension of the rules, House Bill No. 98 read a third time by title, and the amendments offered by the committee read in full.

Mr. Valdez moved that House Bill No. 98, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Mr. Speaker—17.

Nays—Baker, Davidson, Mirabal, Moffett, Mullens, Walters—6.

The result being in the affirmative the Speaker declared House Bill No. 98, as amended, to have passed the House.

Council Bill No. 68 read a third time by title preparatory to its passage.

Mr. Garcia moved that Council Bill No. 68 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—21.

The vote being unanimous the Speaker declared Council Bill No. 68 to have passed the House.

Council Bill No. 129 read a third time by title preparatory to its passage, and by request of Mr. Blattman read in full for information.

A message from the Governor was received.

Mr. Garcia moved that Council Bill No. 129 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Davidson, Garcia, Roberts, Stackhouse, Sweezy, Tipton, Mr. Speaker—11.

Nays—Baker, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Valdez, Walters—12.

Said motion was lost.

The following message from the Council was announced:

“Mr. Speaker:

The Honorable Council has instructed me to inform this Honorable Body that it has duly passed Council Bill No. 42, and respectfully asks the concurrence of this body in the same.”

Council Joint Resolution No. 15 read a third time by title preparatory to its passage, and by request of Mr. Mullens read in full for information.

Mr. Blattman moved that Council Joint Resolution No. 15 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—19.

The vote being unanimous, the Speaker declared Council Joint Resolution No. 15 to have passed the House.

Council Joint Resolution No. 16 read a third time by title preparatory to its passage.

Mr. Roberts moved that Council Joint Resolution No. 16 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Chavez (Bernalillo), Davidson, Gallegos, Garcia, Mirabal, Moffett, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—19.

The vote being unanimous, the Speaker declared Council Joint Resolution No. 16 to have passed the House.

Council Bill No. 44 read a third time by title preparatory to its passage.

Mr. Pacheco moved that Council Bill No. 44 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—21.

The vote being unanimous, the Speaker declared Council Bill No. 44 to have passed the House.

By unanimous consent, the following House Bills were introduced, read first and second times by title and referred to the Steering Committee.

House Bill No. 263, introduced by Mr. Tipton, "An act amending Section 8 of Chapter 18 of the Acts of the thirty-sixth Legislative Assembly of the Territory of New Mexico."

House Bill No. 264, introduced by Mr. Tipton, "An act to amend sub-section 68 of Section 2402 of the Compiled Laws of New Mexico of 1897."

House Bill No. 265, introduced by Mr. Sweezy, "An act to prohibit trespassing on the property of railroad companies, and to provide a penalty."

House Bill No. 266, introduced by Mr. Sweezy, "An act to punish the stealing or attempt to steal rides on trains, and for other purposes."

Under suspension of the rules, the following bills, memorials and resolutions were taken up:

Council Joint Memorial No. 5 read a third time by title preparatory to its passage, and by request of Mr. Mirabal read in full for information.

Mr. Mirabal moved that Council Joint Memorial No. 5 do now pass, and the roll resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mira-

bal, Moffett, Mullens, Pacheco, Roberts, Sanchez Stackhouse, Valdez, Walters, Mr. Speaker—21.

The vote being unanimous, the Speaker declared Council Joint Memorial No. 5 to have passed the House.

Council Bill No. 62 and amendments thereto read in full for information and a third time by title preparatory to its passage.

Mr. Martinez moved that Council Bill No. 62, as amended, do now pass, and the roll resulted as follows:

Ayes—Baca, Baker, Blattman, Brown, Brice, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous, the Speaker declared Council Joint Bill No. 62 as amended, to have passed the House.

The following message from the Governor was read:

"Message No. 27.

GEORGE CURRY, Governor of New Mexico."

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Joint Resolution No. 3, relative to printing the Governor's message.

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

Mr. Valdez moved that this House do now reconsider the vote by which Council Bill No. 129 failed to pass the House, which motion prevailed.

Mr. Valdez moved that Council Bill No. 129 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Chavez (Bernalillo), Garcia, Martinez, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—15.

Nays—Chavez (Sierra), Gallegos, Mirabal, Moffett, Pacheco, Sanchez, Walters—7.

The result being in the affirmative, the Speaker declared Council Bill No. 129 to have passed the House.

Under order of business on the Speaker's table, Council Bill No. 132, "An act to amend Sections 3 and 4, Chapter 116 of the laws of 1905" was read first and second times by title and referred to the Steering Committee.

Mr. Martinez moved that the House do now adjourn until tomorrow afternoon, at two o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## THIRTY-FIFTH DAY.

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### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, March 11, 1909.  
Thursday, two o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Mr. Bushkevitz, excused, the House proceeded to business.

Prayer by the Chaplain.

Mr. Brown moved that the reading of the journal of the thirty-fourth day be dispensed with, and that the same be approved by the Speaker after inspection, which motion prevailed.

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has failed to concur in the passage of House Bill No. 213, but has passed in lieu thereof Council Substitute for House Bill No. 213, that it has concurred in the passage of House Bill No. 106; that it has duly passed Council Substitute for Council Bill No. 139; Council Bill No. 118; Council Bill No. 121; Council Bill No. 130; Council Bill No. 131 and respectfully asks the concurrence of this Honorable Body in the same."

The following House Petitions were presented, read first and second times by title and referred to the Steering Committee.

House Petition No. 66, presented by Mr. Sanchez, requesting the passage of a local option law, signed by fifty-two citizens of the town of Springer, New Mexico.

House Petition No. 67, presented by Mr. Sanchez, for local



option law signed by forty citizens and residents of the County of Valencia.

House Petition No. 68, presented by Mr. Sanchez, for local option law signed by forty citizens and residents of the County of ty, New Mexico.

House Petition No. 69, presented by Mr. Brown, a petition to establish and maintain a farmer's institute and co-operative experiments in the Territory of New Mexico.

The following reports from the Steering Committee were read and adopted:

"Santa Fe, New Mexico, March 11, 1909.

To the Honorable Speaker and Members of the House of Representatives:

Sirs:

We, your Steering Committee, respectfully recommend that Council Bill No. 85, introduced by Mr. Upton, and Council Bill No. 45, introduced by Mr. Catron, as amended, and Council Substitute for Council Bills Nos. 36 and 37, be taken up for consideration by the House.

Respectfully submitted,

C. J. ROBERTS, Chairman."

"Santa Fe, New Mexico, March 11, 1909.

To the Honorable Speaker and Members of the House of Representatives.

Sirs:

We, your Steering Committee, would respectfully recommend that the following House Bills be taken up for consideration in the order hereinafter set out, and each of said bills having heretofore been printed in full we would further recommend in order to expedite business that the rules of the House be suspended and that said bills be read a third time by title and placed upon their passage, and that wherever any amendments have been offered or proposed to any of such bills that the amendments only be read in full.

House Bill No. 6, introduced by Julian Chavez.

House Bill No. 12, introduced by G. E. Moffett, as amended.

House Bill No. 27, introduced by G. E. Moffett, as amended.

House Bill No. 108, introduced by Price Walters, as amended.

House Bill No. 123, introduced by Tipton.

House Bill No. 166, introduced by Martinez, as amended.

House Bill No. 169, introduced by Blattman.

House Bill No. 173, introduced by Brice.

House Bill No. 177, introduced by Stackhouse.

House Bill No. 178, introduced by Davidson.

House Bill No. 197, introduced by Zacarias Valdez.

House Bill No. 198, introduced by Santiago Garcia.

House Bill No. 205, introduced by Silvestre Mirabal.

House Bill No. 159, introduced by H. M. Sweezy, as amended.

House Bill No. 118, introduced by R. L. Baca, as amended.

Respectfully submitted,

C. J. ROBERTS, Chairman."

By unanimous consent Mr. Gallegos introduced House Joint Resolution No. 7, requesting the President of the Senate and the Speaker of the House of Representatives of the United States to appoint a special committee to investigate conditions in the Territory of New Mexico and the fitness of the people in said Territory for statehood, and the transmission of the same. Read first and second times by title.

On motion of Mr. Blattman, duly seconded and carried, the rules were suspended and House Joint Resolution No. 7 was considered referred, and was read a third time in full preparatory to its passage.

Under further suspension of the rules Mr. Gallegos moved that House Joint Resolution No. 7 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—21.

The vote being unanimous, the Speaker declared House Joint Resolution No. 7 to have passed the House.

By unanimous consent Mr. Stackhouse introduced House Joint Resolution No. 8, relative to an expression of the appreciation of the people of the Territory of New Mexico to the Chamber of Commerce of El Paso, Texas, for its efforts in behalf of statehood for New Mexico. Read first and second times by title.

On motion of Mr. Roberts, duly seconded and carried, the rules were suspended and House Joint Resolution No. 8 was considered referred and was read a third time in full preparatory to its passage.

Under further suspension of the rules Mr. Roberts moved that House Joint Resolution No. 8 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tip-ton, Valdez, Walters, Mr. Speaker—22.

The vote being unanimous, the Speaker declared House Joint Resolution No. 8 to have passed the House.

The following bills were introduced, read first and second times by title, and referred to the Steering Committee.

House Bill No. 267, introduced by Mr. Mirabal, "An act entitled an act relating to the qualification of officials."

House Bill No. 268, introduced by Mr. Stackhouse, "An act entitled an act requiring hotel and lodging house keepers to provide fire escapes and fire alarms."

House Bill No. 269, introduced by Mr. Baker, "An act entitled an act to amend Section 3288 of the Compiled Laws of 1897."

House Bill No. 270, introduced by Mr. Martinez, "An act to amend Section 2 of Chapter 65 of the Laws of New Mexico for the year 1907."

House Bill No. 271, introduced by Mr. Valdez, "An act entitled an act to prevent extortion."

House Bill No. 272, introduced by Mr. Baca, "An act entitled an act to repeal Chapter 15 of the Laws of 1903."

House Bill No. 273, introduced by Mr. Chavez (Sierra), "An act prohibiting the location and keeping of saloons in the vicinity of school houses."

Under the order of bills on their third reading the following bills were taken up:

Council Bill No. 59 read a third time in full preparatory to its passage.

Mr. Mullens offered an amendment to Council Bill No. 59 which was read as follows:

"Amend Section 1 by striking out the word 'property' in line five of the printed bill and inserting in lieu thereof the word 'land'."

Mr. Mirabal asked time to present an amendment to Council Bill No. 59, which request was granted.

Council Bill No. 54 taken up, and on motion of Mr. Roberts, duly seconded and carried, the rules were suspended and Council Bill No. 54 was read a third time by title preparatory to its passage.

Mr. Roberts moved that Council Bill No. 54 do now pass, and the roll call resulted as follows:

Ayes—Baca, Brice, Brown, Chavez (Sierra), Chavez (Bernal-

illo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—19.

The vote being unanimous the Speaker declared Council Bill No. 54 to have passed the House.

Mr. Mirabal moved that the amendment offered by Mr. Mullens to Council Bill No. 59 be adopted, which motion prevailed.

Mr. Baca offered an amendment to Council Bill No. 59 which was read as follows:

"Provided that the provisions of this act may be made applicable for the surveying of school districts whenever in the judgement of the County Commissioners such survey of such districts is necessary."

Mr. Roberts asked that Council Bill No. 59 be turned over to Mr. Baca until tomorrow in order that Mr. Baca might prepare an amendment which would cover the preservation of any field notes, maps, etc., of such surveys of school districts, which request was granted.

Council Bill No. 91 read a third time in full preparatory to its passage.

Mr. Baca moved that Council Bill No. 91 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The vote being unanimous the Speaker declared Council Bill No. 91 to have passed the House.

Council Bill No. 104 read a third time in full preparatory to its passage.

Mr. Baca moved that Council Bill No. 104 do now pass and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—21.

The vote being unanimous the Speaker declared Council Bill No. 104 to have passed the House.

Council Bill No. 90 taken up and during the reading of the bill in English Mr. Moffet moved that the further reading of the bill be dispensed with, which motion prevailed.

Mr. Moffett moved that Council Bill No. 90 do now pass, and the roll call resulted as follows:

Ayes—Baca, Brice, Brown, Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—19.

Nays—Blattman, Chavez (Sierra), Chavez (Bernalillo)—3.

The result being in the affirmative the Speaker declared Council Bill No. 90 to have passed the House.

The following message from the Council was received:

“Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that the Council has duly passed Council Bill No. 89, Council Bill No. 126, Council Bill No. 143, and asks the concurrence of this Honorable Body in the same.”

Mr. Roberts moved that the rules be suspended and that all bills, memorials and resolutions reported by the Steering Committee be considered read in full, unless the reading thereof be requested by some member, and that said bills, memorials and resolutions be read a third time by title, preparatory to their passage, which motion prevailed.

House Substitute for House Bill No. 156, read a third time by title preparatory to its passage.

Mr. Tipton moved that House Substitute for House Bill No. 156 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—19.

Nays—Gallegos, Pacheco—2.

The result being in the affirmative, the Speaker declared House Substitute for House Bill No. 156 to have passed the House.

House Bill No. 245, read a third time by title preparatory to its passage, and at request of Mr. Roberts in full for information.

Mr. Sanchez moved that House Bill No. 245 as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Stackhouse, Sweezy, Valdez, Mr. Speaker—14,

Nays—Brice, Brown, Chavez (Sierra), Moffett, Mullens, Roberts, Tipton, Walters—8.

The result being in the affirmative the Speaker declared House Bill No. 245 to have passed the House.

Council Bill No. 45, as amended, read a third time in full preparatory to its passage.

Mr. Martinez moved that Council Bill No. 45, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The vote being unanimous, the Speaker declared Council Bill No. 45 as amended, to have passed the House.

Council Bill No. 86 read a third time in full in English preparatory to its passage.

Mr. Chavez (Sierra), moved that the reading of Council Bill No. 86 in Spanish be dispensed with, which motion prevailed.

Mr. Chavez (Sierra), moved that Council Bill No. 86 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—17.

Nays—Brown, Chavez (Sierra), Mirabal, Moffett, Walters—5.

The vote being in the affirmative, the Speaker declared Council Bill No. 86 to have passed the House.

Council Substitute for Council Bills Nos. 36 and 37, with amendments, read a third time in full in English preparatory to its passage.

Mr. Valdez moved that the reading of Council Substitute for Council Bill Nos. 36 and 37 in Spanish be dispensed with, which motion prevailed.

Mr. Davidson offered the following amendment to Council Substitute for Council Bills Nos. 36 and 37, which was read,

“Strike out ‘Council Amendment’.”

Mr. Valdez moved that said amendment of Mr. Davidson be tabled indefinitely, and the roll call resulted as follows:

Ayes—Baca, Blattman, Chavez (Sierra), Chavez (Bernalillo), Garcia, Martinez, Pacheco, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—13.

Nays—Brice, Brown, Davidson, Gallegos, Mirabal, Moffett, Mullens, Roberts, Walters—9.

Said motion prevailed.

The following message from the Council was announced:

**"Mr. Speaker:**

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has failed to concur in the passage of House Bill No. 84, but has passed in lieu thereof Council Substitute for House Bill No. 84; that it has passed Council Bill No. 19; Council Bill No. 135; Council Bill No. 137; Council Bill No. 138, Council Bill No. 139 and Council Bill No. 140, and asks the concurrence of this Honorable Body in these measures."

Mr. Moffett offered the following amendment to Council Substitute for Council Bills 36 and 37, which was read:

"Amend the last section by inserting the following: 'This act shall not go into effect until January 1st, 1911'."

Mr. Valdez moved that the said amendment of Mr. Moffett be tabled indefinitely, and the roll call resulted as follows:

Ayes—Baca, Blattman, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Pacheco, Sanchez, Stackhouse, Sweezy, Valdez, Mr. Speaker—13.

Nays—Brice, Brown, Davidson, Mirabal, Moffett, Mullens, Roberts, Tipton, Walters—9.

Said motion prevailed.

Mr. Valdez moved that Council Substitute for Council Bills Nos. 36 and 37 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Pacheco, Sanchez, Stackhouse, Sweezy, Valdez, Tipton, Mr. Speaker—14.

Nays—Brice, Brown, Davidson, Mirabal, Moffett, Mullens, Roberts, Walters—8.

The result being in the affirmative, the Speaker declared Council Substitute for Council Bills Nos. 36 and 37 to have passed the House.

House Bill No. 6 read a third time by title preparatory to its passage.

Mr. Blattman moved that House Bill No. 6 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The vote being unanimous the Speaker declared House Bill No. 6 to have passed the House.

Mr. Sanchez moved that the House do now adjourn until tomorrow afternoon at two o'clock, said motion was lost.

House Bill No. 12, as amended, read a third time by title preparatory to its passage.

Mr. Moffett moved that House Bill No. 12, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Valdez, Walters, Mr. Speaker—19.

The vote being unanimous, the Speaker declared House Bill No. 12 as amended to have passed the House.

House Bill No. 27 as amended, read a third time by title preparatory to its passage.

Mr. Moffett moved that House Bill No. 27, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Martinez, Mirabal, Moffett, Mullens, Roberts, Stackhouse, Tipton, Walters, Mr. Speaker—15.

Nays—Garcia, Gallegos, Pacheco, Sanchez, Valdez—5.

The result being in the affirmative the Speaker declared House Bill No. 27 as amended, to have passed the House.

House Bill No. 108 as amended, read a third time by title preparatory to its passage.

Mr. Walters offered an amendment which was read as follows:

"Amend House Bill No. 108 by striking out all of section 9 of said bill."

Amendment adopted on motion of Mr. Walters.

Mr. Walters moved that House Bill No. 108, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabel, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—21.

The vote being unanimous, the Speaker declared House Bill No. 108 as amended, to have passed the House.

House Bill No. 123, read a third time by title preparatory to its passage.

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives, that it has duly passed



Council Bill No. 69, "An act to establish the Spanish-American Normal School," and asks the concurrence of this Honorable Body in the same."

Mr. Tipton moved that House Bill No. 123 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Bernalillo), Davidson, Gallegos, Garcia, Mirabal, Moffett, Mullens, Pacheco, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—18.

The vote being unanimous, the Speaker declared House Bill No. 123 to have passed the House.

House Bill No. 166, as amended, read a third time by title preparatory to its passage.

Mr. Roberts offered an amendment, which was read as follows:

"Amend Section 6 by striking out the words 'County Attorney' and inserting in lieu thereof the words 'District Attorney.' "

Amendment adopted on motion of Mr. Roberts.

Mr. Roberts moved that House Bill No. 166, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Mirabal, Moffett, Mullens, Roberts, Sanchez, Stackhouse, Tipton, Walters, Mr. Speaker—15.

Nays—Gallegos, Pacheco, Valdez—3.

The result being in the affirmative the Speaker declared House Bill No. 166, as amended, to have passed the House.

House Bill No. 169 read a third time by title preparatory to its passage.

Mr. Blattman moved that House Bill No. 169 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Walters, Mr. Speaker—21.

The vote being unanimous the Speaker declared House Bill No. 169 to have passed the House.

House Bill No. 173 read a third time by title preparatory to its passage.

Mr. Brice moved that House Bill No. 173 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The vote being unanimous the Speaker declared House Bill No. 173 to have passed the House.

House Bill No. 177 read a third time by title preparatory to its passage.

Mr. Stackhouse moved that House Bill No. 177 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—20.

Nays—Davidson, Mirabal—2.

The result being in the affirmative, the Speaker declared House Bill No. 177 to have passed the House.

House Bill No. 178 read a third time by title preparatory to its passage.

Mr. Davidson moved that House Bill No. 178 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Mr. Speaker—19.

Nays—Mullens, Stackhouse, Walters—3.

The result being in the affirmative, the Speaker declared House Bill No. 178 to have passed the House.

House Bill No. 197 read a third time by title preparatory to its passage.

Mr. Valdez moved that House Bill No. 197 do now pass and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The vote being unanimous the Speaker declared House Bill No. 197 to have passed the House.

House Bill No. 198 read a third time by title preparatory to its passage.

Mr. Blattman moved that House Bill No. 198 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The vote being unanimous, the Speaker declared House Bill No. 198 to have passed the House.

House Bill No. 205 read a third time by title preparatory to its passage.

Mr. Sanchez moved that House Bill No. 205 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The vote being unanimous, the Speaker declared House Bill No. 205 to have passed the House.

House Bill No. 159 read a third time by title preparatory to its passage, and amendments thereto read in full.

Mr. Martinez moved that House Bill No. 159 as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Davidson, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Walters, Mr. Speaker—15.

Nays—Brown, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Pacheco, Valdez—7.

The result being in the affirmative, the Speaker declared House Bill No. 159, as amended, to have passed the House.

Mr. Martinez moved that the vote by which House Bill No. 159, as amended, passed the House be reconsidered, and that reconsideration be tabled indefinitely, which motion prevailed.

Mr. Blattman moved that the House do now adjourn until tomorrow afternoon at two o'clock, and the roll call being demanded resulted as follows:

Ayes—Blattman, Brice, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Stackhouse—10.

Nays—Baca, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—12.

Said motion was lost.

House Bill No. 118 read a third time by title preparatory to its passage and the amendments thereto read in full, in English.

Mr. Gallegos moved that the reading of the amendments in Spanish be dispensed with, which motion prevailed.

Mr. Baca moved that House Bill No. 118 as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Chavez (Sierra), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Rob-

erts, Sanchez, Sweezy, Tipton, Valdez, Walters Mr. Speaker—19.  
Nays—Pacheco—1.

The result being in the affirmative the Speaker declared House Bill No. 118 to have passed the House.

Under the order of business on the Speaker's table the following Council Bills were taken up, read first and second times by title and referred to the Steering Committee:

Council Substitute for House Bill No. 213; Council Substitute for Council Bill No. 109; Council Bill No. 118; Council Bill No. 121; Council Bill No. 130; Council Bill No. 131; Council Bill No. 143; Council Bill No. 126; Council Bill No. 89; Council Bill No. 69; Council Bill No. 140; Council Bill No. 138; Council Substitute for House Bill No. 84; Council Bill No. 139; Council Bill No. 137; Council Bill No. 135; Council Bill No. 125; Council Bill No. 19.

Mr. Sanchez moved that the House do now adjourn until tomorrow afternoon at two o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## THIRTY-SIXTH DAY.

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### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, March 12, 1909.  
Friday, two o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present, except Messrs. Bushkevitz and Baker, excused, the House proceeded to business.

Prayer by the Chaplain.

Mr. Martinez moved that the reading of the journal of the thirty-fifth day be dispensed with, and that the same be approved by the Speaker after inspection, which motion prevailed.

The following bills were introduced, read first and second times by title and referred to the Steering Committee.

House Bill No. 274, introduced by Mr. Moffett, "An act to amend Section 3107 of the Compiled Laws of the Territory of New Mexico for the year 1897, relating to executions."

House Bill No. 275, introduced by Mr. Blattman, "An act to amend Section 2552, of the Compiled Laws of the Territory of New Mexico for the year 1897."

House Bill No. 276, introduced by Mr. Sanchez, "An act relative to automobiles and motor vehicles."

House Bill No. 277, introduced by Mr. Brown, "An act to provide for a general election in the Territory of New Mexico on the question of local option and prohibition."

House Bill No. 278, introduced by Mr. Chavez (Sierra), "An act in relation to the sale of liquor for cash."

At the request of Mr. Chavez (Sierra), House Bill No. 278 read in full for information.

The following report of the Steering Committee was read and adopted on motion of Mr. Sanchez:

"Santa Fe, New Mexico, March 12, 1909.

To the Honorable Speaker and Members of the House of Representatives:

Sirs:

We, your Steering Committee, respectfully report for consideration the bills hereinafter set out, and would recommend that the said bills be considered in the order following, and that when the appropriation bill is reached that the same be considered by the House in committee of the whole, section by section; House Bills 257, 262, 251, 70, 240, 252, 260, 214, 208, 188, 182, 171.

C. J. ROBERTS, Chairman."

Mr. Roberts moved that their rules be suspended and that all bills, memorials and resolutions reported by the Steering Committee, be considered read in full, unless the reading thereof be requested by some member, and that said bills, memorials and resolutions be read a third time by title preparatory to their passage, which motion prevailed.

House Bill No. 262, read a third time by title preparatory to its passage.

Mr. Roberts moved that the House do now resolve itself into the Committee of the Whole for the purpose of considering House Bill No. 262, which motion prevailed.

Whereupon the House resolved itself into the committee of the whole with Mr. Walters in the chair.

The Speaker resumed the chair.

Mr. Walters, Chairman of the Committee of the Whole, reported as follows:

"Mr. Speaker:

We, your Committee of the Whole, beg leave to report progress, but that we have not yet finished our duties."

Report adopted on motion of Mr. Blattman.

Mr. Baca moved that the Steering Committee be instructed to furnish each member with a copy of House Bill No. 262, so as to expedite matters, which motion prevailed.

The Speaker then instructed Mr. Roberts, Chairman of the Steering Committee, to furnish each member with a copy of said bill.

By unanimous consent, Mr. Davidson introduced House Resolution No. 17, which was read as follows:

"House Resolution No. 17.

Whereas, the Grim Reaper, Death, in his merciless warfare waged against the human race, has invaded the home of our fellow member, the Honorable M. R. Baker, and has claimed the life of his beloved son, and

Whereas, in this, his hour of grief and tribulation, the hearts of the members of the House go out to him and in his great loss sympathize and sorrow with his family.

*Therefore Be It Resolved* by the House of Representatives of the 38th Legislative Assembly of the Territory of New Mexico, that the sympathies of all the members of this House and the employees of the House are hereby extended to our bereaved brother member and his family in this their hour of sorrow and affliction, and we invoke the Divine Rules of the Universe to extend to this bereaved family such comfort and condolence as only can be extended by Him. and that He will bind up their bleeding hearts.

*Be It Further Resolved*, that this House adjourn until tomorrow afternoon at one thirty o'clock, as a mark of respect to our fellow member, and

*Be It Further Resolved*, that a copy of these resolutions be presented to our fellow member by the Chief Clerk of this House."

Mr. Baca moved that the House do now adopt House Resolution No. 17 by a standing vote, which was carried unanimously, and the

House adjourned until tomorrow afternoon at one thirty o'clock.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## THIRTY-SEVENTH DAY.

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### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, March 13, 1909.  
Saturday, 1:30 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

There being a quorum present the House proceeded to business.

Mr. Roberts moved that the House do now take a recess until four o'clock this afternoon in order that the House as a body might escort the Hon. M. R. Baker to the train, which motion prevailed.

The House met pursuant to recess with the Speaker in the chair.

The speaker instructed the sergeant at arms to notify the Council that the House was ready to meet the Council in a joint session for the purpose of listening to a lecture by the Hon. Fifford Pinchot.

Upon the arrival of the Council the Hon. Gifford Pinchot addressed the joint assembly on the subject of forestry.

Thereupon Mr. Hanley moved that the joint session do now arise and that the members of the Council return to their chamber, which motion prevailed, and the Council retired.

Mr. Roberts moved that House Bill No. 262 be made a special order of business for Monday morning at ten o'clock, which motion prevailed.

Mr. Roberts moved that the House do now adjourn until Monday morning at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

## THIRTY-EIGHTH DAY.

### MORNING SESSION

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, March 15, 1909.  
Monday, 10 o'clock.

chair.

The House met pursuant to adjournment with the Speaker in the  
All members being present, except Messrs. Baca and Baker, excused, the House proceeded to business.

Prayer by the Chaplain.

Mr. Walters moved that the reading of the journal of the thirty-seventh day be dispensed with, and that the same be approved by the Speaker after inspection, which motion prevailed.

The Speaker appointed the following gentlemen as a Conference Committee to confer with a like committee from the Council on Council Bills Nos. 36 and 37:

Messrs. Stackhouse, Valdez and Garcia.

By unanimous consent Mr. Walters introduced House Resolution No. 18, which was read as follows:

#### IN REGARD TO ENROLLED AND ENGROSSED BILLS.

Be it resolved, by the House of Representatives of the Thirty-eighth Legislative Assembly of New Mexico, that from and after the adoption of this resolution, all House Bills, in the passage of which this House and Honorable Council shall concur shall be considered enrolled and engrossed, and that the Committee on Enrolled and Engrossed bills be, and it is hereby authorized to cause the originals of such bills to be signed by the Presiding Officers and Chief Clerks of the respective Houses of said Assembly and to forward the same to the Governor of New Mexico.

Mr. Walters moved that the rules be suspended and that House Resolution No. 18 be considered read first and second times by title and referred, and be now read a third time by title preparatory to its passage, which motion prevailed.

Under further suspension of the rules, Mr. Walters moved that House Resolution No. 18, do now pass, and the roll call resulted as follows:

Ayes—Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra) Chavez (Bernalillo), Davidson, Gallegos, Martinez, Mirabal, Mof-



fett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—21.

The result being in the affirmative the Speaker declared House Resolution No. 18, to have passed the House.

The following message from the Council was received:

“Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has duly concurred in the passage of House Bill No. 98, House Bill No. 108, House Bill No. 110, House Bill No. 118, House Finance Committee Substitute for House Bills Nos. 127, 128, 134, and 135, House Bill No. 245, House Joint Resolution No. 8, and has also passed Council Bill No. 75, Council Bill No. 94, Council Bill No. 141, and Council Bill No. 142, and respectfully asks the concurrence of this Honorable Body in the same.”

The following message from the Governor was read:

“Message No. 35.

Santa Fe, New Mexico, March 13, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Bill No. 91, “An act to amend Chapter 5, of the laws of 1909, entitled, ‘An act appropriating money for the completion of the addition to the Capitol building, Executive mansion, and for the purpose of furnishing in a suitable manner the said Executive Mansion.’

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico.”

By unanimous consent, Mr. Chavez (Sierra) introduced House Bill No. 279, “An act to abolish the county of Sierra created by the Legislative Assembly of 1884, Chapter 109, approved April 3rd, 1884, and creating a new county with different boundaries with the name of Sierra, and for other purposes.” Read first and second times by title and referred to the Steering Committee.

On motion of Mr. Roberts, duly seconded and carried, the rules were suspended, and the following report of the Steering Committee on House Bill No. 279 was read and adopted:

“Santa Fe, New Mexico, March 15, 1909.

Mr. Speaker:

We, your Steering Committee, respectfully recommend that House Bill No. 279 be taken up for immediate consideration.

C. J. ROBERTS, Chairman.”

Under further suspension of the rules, Mr. Chavez (Sierra), moved that House Bill No. 279 be read a third time in full preparatory to its passage, which motion prevailed.

House Bill No. 279 read in English and on motion of Mr. Blattman the reading in Spanish was dispensed with.

Mr. Brown offered an amendment to House Bill No. 279, which was read as follows:

"Amend by adding after the word 'Secretary' at end of Section 4 the following: 'Provided, however, that no person shall be considered as a legal voter in the aforesaid election unless he shall have paid taxes for 1909'."

Amendment adopted, on motion of Mr. Sanchez.

Under further suspension of the rules Mr. Walters moved that House Bill No. 279, as amended, do now pass, and the roll call resulted as follows:

Ayes—Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

The vote being unanimous, the Speaker declared House Bill No. 279, as amended, to have passed the House.

By unanimous consent, the following House bills were introduced read a first and second time by title, and referred to the Steering Committee:

House Bill No. 280, introduced by Mr. Brown, "An act entitled an act, appropriating the sum of five thousand dollars for the straightening of the Dry Cimarron River course at Folsom, Union County, New Mexico."

House Bill No. 281, introduced by Mr. Mullens, "An act to prevent false prosecutions, false defenses, and the committing of perjury."

House Bill No. 282, introduced by Mr. Mullens, "An act relating to the supplying of water to cities and towns and the inhabitants thereof."

By unanimous consent, the following Council Bills were read first and second times by title, and referred to the Steering Committee:

Council Bill No. 94, "An act to amend Chapter 77 of the acts of the Thirtieth Legislative Assembly of the Territory of New Mexico."

Council Substitute for Council Bill No. 75, "An act to amend Section 2395 of the Compiled Laws of 1897."

Council Bill No. 141, "An act to amend Section 4124 of the Compiled Laws of 1897."

Council Bill No. 142, "An act relating to the qualification of officials."

By unanimous consent the following House Bills were taken up and the Council amendments thereto read in full:

House Finance Committee Substitute for House Bills Nos. 127, 128, 134 and 135. Council Amendments concurred in on motion of Mr. Tipton.

House Bill No. 98. Council amendments concurred in on motion of Mr. Roberts.

House Bill No. 245. Council amendments concurred in on motion of Mr. Roberts.

The following messages from the Governor were read:

Veto Message No. 2.

Santa Fe, New Mexico, March 15, 1909.

Gentlemen:

I have the honor to respectfully return herein, without my approval, House Bill No. 256, entitled, "An act to establish the county of Sierra created by the Legislative Assembly of 1884, Chapter 109, approved April the 3rd, 1884, and creating a new county with different boundaries with the name of Sierra, and for other purposes."

The legality of this measure, in my opinion, is very doubtful, and to arbitrarily remove a county seat without the vote of the people is to my mind improper and unjust. In addition to other questions involved, this bill, while it evidently was not so intended, abolishes the county of Socorro, and this feature alone calls for an executive veto, even though the other provisions of this measure were satisfactory.

I am, gentlemen, respectfully yours,

GEORGE CUREY, Governor of New Mexico.

Enclose House Bill No. 256.

Mr. Blattman moved that the veto of the Governor be sustained. which motion prevailed.

"Message No. 36.

Santa Fe, New Mexico, March 15, 1909.

Sir:

I have the honor to inform you that I have this day signed the following:

Council Joint Memorial No. 5, "To the Senate and House of Rep-

representatives of the Congress of the United States of America praying the approval of Chapter 75 of the acts of the 36th Legislative Assembly of the Territory of New Mexico."

Council Joint Resolution No. 16, "Greetings and Thanks to Hon. Henry M. Teller."

Council Bill No. 44, "An act to amend Section 1971 of the Compiled Laws of 1897."

Council Bill No. 62, "An act providing for the appointment of District Attorneys, prescribing their duties, and providing for their compensation."

Council Bill No. 68, "An act entitled an act to repeal Section 466 of the Compiled Laws of New Mexico, relating to corporations."

House Bill No. 30, "An act relating to the sale of a portion of a stock of merchandise other than in the ordinary course of trade and for other purposes and providing a penalty."

Amended House Bill No. 28, "An act amending Section 30 of Chapter 104 of the laws of 1907, entitled, 'An act to provide for the leasing, sale, management and control of all lands now owned or hereafter acquired by the Territory of New Mexico, to create a territorial public land office, a commissioner thereof, and to prescribe the duties of such officer, to provide for the care, custody, disposition and investment of moneys derived from all territorial lands by leasing, sale, or otherwise, and for other purposes.'"

House Bill No. 37, "An act entitled an act to amend Section 7 of Chapter 68 of the laws of 1905."

House Bill No. 62, "An act to prevent injury to telegraph and telephone lines."

House Bill No. 73, "An act to amend Sections 1774 and 1775 of the Compiled Laws of 1897, relating to fees and justices of the peace and constables."

House Judiciary Committee Substitute for House Bill No. 79, "An act to make all personal property under certain circumstances subject to execution for the purchase price thereof and for other purposes."

House Bill No. 87, "An act relating to improvement districts in cities and incorporated towns."

House Bill No. 124, "An act to provide for the indeterminate sentence of persons convicted of certain felonies, for the termination of such sentence and release of such persons, defining the duties of the commissioners and superintendent of the penitentiary

in relation thereto, and repealing all acts and parts of acts in conflict therewith."

House Bill No. 196, "An act amending an act entitled an act placing the county of Sandoval in the 6th district as established for district attorney purposes, by chapter 33 of the session laws of 1905, and fixing the time for holding court in Sandoval County."

House Bill No. 200, "An act to amend Section 22 of Chapter 36 of the laws of the 37th Legislative Assembly."

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico.\*

Mr. Walters moved that the House do now resolve itself into the Committee of the Whole for the purpose of considering House Bill No. 262, which motion prevailed.

Whereupon the House resolved itself into the Committee of the Whole with Mr. Walters in the chair.

The Speaker resumed the chair, and Mr. Walters, Chairman of the Committee of the Whole, reported progress on House Bill No. 262, which report was adopted on motion of Mr. Blattman.

Mr. Mirabal moved that House Bill No. 262 be made a special order of business for this evening at seven thirty o'clock, which motion prevailed.

Mr. Mirabal moved that the House do now take a recess until this afternoon at two o'clock, which motion prevailed.

#### AFTERNOON SESSION.

The House met pursuant to recess with the Speaker in the chair.

There being a quorum present, the House proceeded to business.

The following message from the Governor of New Mexico was received:

"Message No. 37.

Santa Fe, New Mexico, March 15, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Bill No. 129, 'An act to amend Section 10, of Chapter 7 of the Session Laws of the 36th Legislative Assembly of the Territory of New Mexico.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

The following petitions were presented, read first and second times by title, and referred to the Steering Committee:

House Petition No. 70, presented by Mr. Pacheco, duplicate of names of signers for a local option or prohibition law from the town of Costilla, New Mexico.

House Petition No. 71, presented by Mr. Valdez, from the citizens of the town of Trementina, New Mexico, for local option or prohibition with 193 signatures.

By unanimous consent Mr. Mirabal introduced House Resolution No. 19, which was read as follows:

*Whereas*, The preservation of our forests is of great importance to us, as well as to our posterity,

*And Whereas*, The Forestry Department of the United States Government has established a new reserve to the north of San Mateo, which will be of great benefit to all owners of cattle and sheep of this territory;

*And Whereas*, The Honorable Nathan Bibb of Valencia County has been instrumental in having the Forestry Department grant a one mile drive way, from the waters of San Mateo Creek, to the prairie beyond La Tinaja, and has also secured free access to the northern slopes of the mesas near Polvadera and Tinaja, and the northern slopes of San Mateo mountains, all of which is inclosed within the Forest Reserve, a permission that is of inestimable value to the citizens of our territory,

*And Whereas*, The Forestry Department has been prompt to consider matters presented to it for the benefit of the citizens of New Mexico, and is now giving earnest attention to questions of great interest to the people of this section,

*Therefore Be It Resolved*, That the House of Representatives of the 38th Legislative Assembly, extend its most cordial thanks to the Honorable Gifford Pinchot and the gentlemen associated with him in the management of that Department, for their kind consideration of matters pertaining to the welfare of New Mexico, and for the promptness they have exhibited on all occasions when our citizens have made requests of them.

*Be It Further Resolved*, That the chief clerk of the House of Representatives be directed to transmit to the Hon. Gifford Pinchot a copy of this resolution.

Mr. Mirabal moved that the rules be suspended and that House Resolution No. 19, be considered read a first and second time by title preparatory to its passage, which motion prevailed.

Under further suspension of the rules, Mr. Mirabal moved that

House Resolution No. 19, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—22.

The vote being unanimous the Speaker declared House Resolution No. 19 to have passed the House.

Under the order of business on the Speaker's table the following bills amended by the Council, were taken up, read first and second times by title and referred to the Steering Committee:

House Finance Substitute for House Bills Nos. 121, 128, 134 and 135.

House Bill No. 38.

House Bill No. 108.

The following Council Bills were read first and second times by title, and referred to the Steering Committee:

Council Bill No. 142, "An act relative to the qualification of officials."

Council Bill No. 94, "An act to amend Chapter 77 of the acts of the 37th Legislative Assembly of the Territory of New Mexico."

Council Substitute for Council Bill No. 75, "An act to amend Section 2395 of the Compiled Laws of 1897."

Council Bill No. 141, "An act to amend Section 3 of Chapter 115 of the laws of 1905, and for other purposes."

The following report of the Committee on Enrolled and Engrossed Bills was read:

Santa Fe, New Mexico, March 15, 1909.

Mr. Speaker:

Your Committee on Enrolled and Engrossed Bills, to whom has been referred House Bill No. 106, has had the same under consideration and I am directed to report the said bill to the House as having been correctly enrolled and engrossed.

POWELL STACKHOUSE JR., Chairman."

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Legislative Council to announce to the Honorable House of Representatives, that it has duly concurred in the passage of House Bill No. 162, House Bill No. 177, House Bill No. 251, and has duly passed Council Substitute for Council Bill No. 51, Council Bill No. 146, Council Bill No.

149, Council Bill No. 148, and asks the concurrence of this Honorable Body in the same."

Mr. Roberts moved that the rules be suspended and that the House revert to the order of bills on their third reading, and that all bills, memorials and resolutions reported by the Steering Committee be considered read in full, unless the reading thereof be requested by some member, and that said bills, memorials and resolutions be read a third time by title preparatory to their passage, which motion prevailed.

House Bill No. 70 read a third time by title preparatory to its passage.

Mr. Blattman moved that House Bill No. 70 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—23.

The vote being unanimous, the Speaker declared House Bill No. 70 to have passed the House.

House Bill No. 240 read a third time by title preparatory to its passage, and by request of Mr. Walters in full for information.

Mr. Walters offered an amendment to House Bill No. 240 which was read as follows:

"Amend House Bill No. 240 by adding to Section one 'at the time of the passage of this act.'"

Amendment adopted on motion of Mr. Davidson.

Mr. Davidson moved that House Bill No. 240, as amended, do now pass, and the vote being unanimous the Speaker declared House Bill No. 240, as amended to have passed the House.

House Bill No. 252 read a third time by title preparatory to its passage, and by request of Mr. Brown read in full in English for information.

Mr. Pacheco moved that the reading of House Bill No. 252 in Spanish be dispensed with, which motion prevailed.

Mr. Pacheco moved that House Bill No. 252 do now pass, and the vote being unanimous, the Speaker declared House Bill No. 252 to have passed the House.

House Bill No. 260 read a third time by title preparatory to its passage, and by request of Mr. Moffett in full in English for information.

Mr. Blattman moved that House Bill No. 260 do now pass, and



the vote being unanimous the Speaker declared House Bill No. 260 to have passed the House.

House Bill No. 214 read a third time by title preparatory to its passage.

Mr. Blattman moved that House Bill No. 214 do now pass, and the vote being unanimous the Speaker declared House Bill No. 214 to have passed the House.

House Bill No. 208 read a third time by title preparatory to its passage.

Mr. Brice moved that House Bill No. 208 do now pass, and the vote being unanimous the Speaker declared House Bill No. 208 to have passed the House.

House Bill No. 188 read a third time by title, and the amendments thereto by the Steering Committee read in full for information.

Mr. Brown moved that House Bill No. 188, as amended, do now pass, and the vote being unanimous the Speaker declared House Bill No. 188 to have passed the House.

House Bill No. 182 read a third time by title preparatory to its passage.

Mr. Moffett moved that House Bill No. 182 do now pass, and the vote being unanimous the Speaker declared House Bill No. 182 to have passed the House.

House Bill No. 171 read a third time by title preparatory to its passage.

Mr. Martinez moved that House Bill No. 171 do now pass, and the vote being unanimous the Speaker declared House Bill No. 171 to have passed the House.

Under the order of business on the Speaker's table the following Council Bills were read first and second times by title and referred to the Steering Committee:

Council Substitute for Council Bill No. 51, "An act to amend the banking laws of the Territory of New Mexico, to provide for an assistant to the Traveling Auditor and Bank Examiner, and for other purposes."

Council Bill No. 149, "An act to prohibit intoxicating liquors upon armory grounds and in armory buildings."

Council Bill No. 146, "An act relative to blind persons, and for other purposes."

Council Bill No. 148, "An act to amend sub-section 307 of section 2685 of the Compiled Laws of New Mexico of 1897."

On motion of Mr. Roberts, duly seconded and carried, the House

reverted to the report of the Steering Committee, which was read as follows:

"Santa Fe, New Mexico, March 15, 1909.

To the Honorable Speaker and Members of the House of Representatives:

Sirs:

We, your Steering Committee, would respectfully report for consideration by the House the following bills:

Council Substitute for House Bill No. 213; Council Bill No. 132 with amendments; Council Bill No. 102 with certain amendments; Council Bill No. 70 with certain amendments; Council Bill No. 46 with certain amendments; Council Bill No. 131; House Bills Nos. 211, 234, 236, 221, 235, 254, 230, 181, 248, 255, 170, 233, 278, 261, 137, 185 187 with certain amendments 275 with certain amendments.

We would respectfully recommend that all bills which have been printed be read only by title and placed upon their passage.

C. J. ROBERTS, Chairman."

Council Substitute for House Bill No. 213 read a third time in full preparatory to its passage.

Mr. Bushkevitz moved that Council Substitute for House Bill No. 213 do now pass, and the roll call being demanded, resulted as follows:

Ayes—Baca, Baker, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Martinez, Mirabal, Roberts, Sanchez, Stackhouse, Sweezy, Mr. Speaker—14.

Nays—Blattman, Brice, Gallegos, Garcia, Moffett, Mullens, Pacheco, Valdez, Walters—9.

The result being in the affirmative the Speaker declared Council Substitute for House Bill No. 213 to have passed the House.

Council Bill No. 132 read a third time by title preparatory to its passage, and the amendments thereto read in full.

Mr. Martinez moved that the House concur in the amendments to Council Bill No. 132, which motion prevailed.

Mr. Martinez moved that Council Bill No. 132, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Martinez, Mirabal, Pacheco, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—17.

Nays—Baker, Brice, Davidson, Moffett, Mullens—5.

The result being in the affirmative the Speaker declared Council Bill No. 132, as amended, to have passed the House.

A message from the Governor was received and read as follows:  
"Message No. 38.

Santa Fe, New Mexico, March 15, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Joint Resolution No. 15, authorizing the acceptance of benefits of the Carnegie Foundation for the Advancement of teaching.

Council Bill No. 45, "An act to amend Section 3921 Compiled Laws 1897 referring to the powers of railroad corporations.

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

Council Bill No. 102 read a third time by title preparatory to its passage.

Mr. Walters moved that the amendments offered by the Steering Committee be read and adopted, which motion prevailed.

Amendments read in full.

Mr. Moffett moved that Council Bill No. 102, as amended, do now pass, and the vote being unanimous the Speaker declared Council Bill No. 102 to have passed the House.

Council Bill No. 70 and amendments thereto read a third time in full preparatory to its passage.

Mr. Brice offered an amendment which read as follows:

"Insert in the bill the words 'Seven Hundred' in place of the words 'Founteen Hundred',"

Amendment adopted on motion of Mr. Brice.

Mr. Baker moved that Council Bill No. 70 as amended, do now pass, and the vote being unanimous, the Speaker declared Council Bill No. 70 to have passed the House.

Council Bill No. 46 read a third time by title preparatory to its passage and amendments thereto read in full.

Mr. Baca moved that Council Bill No. 46, as amended, do now pass, and the roll call being demanded, resulted as follows:

Ayes—Baca, Baker, Martinez, Mirabal, Roberts, Walters—6.

Nays—Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Moffett, Mullens, Pacheco, Sanchez, Valdez, Mr. Speaker—15.

Said motion was lost.

Council Bill No. 100 read a third time by title preparatory to its passage, and amendments thereto read in full.

Mr. Walters moved that Council Bill No. 100, as amended, do now pass, and the vote being unanimous the Speaker declared Council Bill No. 100 as amended, to have passed the House.

Council Bill No. 131 read a third time by title preparatory to its passage, and at the request of Mr. Mullens read in full for information.

Mr. Sanchez moved that Council Bill No. 131 be laid on the table indefinitely.

Mr. Brice moved an amendment to the motion of Mr. Sanchez, that Council Bill No. 131 be recommitted to the Steering Committee and the roll call being demanded, resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Bushkevitz, Chavez (Sierra), Davidson, Mullens, Roberts, Sweezy, Walters, Mr. Speaker—12.

Nays—Brown, Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Valdez—9.

The result being in the affirmative, Council Bill No. 131 was recommitted to the Steering Committee.

House Bill No. 211 read a third time by title preparatory to its passage.

Mr. Blattman moved that House Bill No. 211 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Moffett, Mullens, Pacheco, Roberts, Sweezy, Valdez, Walters, Mr. Speaker—19.

Nays—Martinez, Mirabal, Sanchez—3.

The result being in the affirmative the Speaker declared House Bill No. 211 to have passed the House.

House Bill No. 234 read a third time by title preparatory to its passage.

Mr. Brice moved that House Bill No. 234 do now pass, and the roll call being demanded, resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Bushkevitz, Davidson, Garcia, Moffett, Mullens, Roberts, Mr. Speaker—11.

Nays—Baca, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Martinez, Mirabal, Pacheco, Sanchez, Sweezy, Valdez, Walters—11.

Motion lost, and House Bill No. 234 failed to pass the House.

Mr. Blattman moved that the House do now take a recess until this evening at 7:30 o'clock, which motion prevailed.

### EVENING SESSION

The House met pursuant to recess with the Speaker in the chair. All members being present, the House proceeded to business.

Mr. Roberts moved that the House do now resolve itself into the Committee of the Whole for the purpose of considering House Bill No. 262, which motion prevailed.

Whereupon the House resolved itself into the Committee of the Whole with Mr. Walters in the chair.

The Speaker resumed the chair.

Mr. Walters, Chairman of the Committee of the Whole, reported that the committee had finished the consideration of House Bill No. 262, and that the committee would prepare the bill as amended and endeavor to report it for final passage tomorrow.

Report adopted on motion of Mr. Mirabal.

Mr. Mirabal moved that the Speaker appoint a committee of five to confer with a like committee of the Honorable Council upon House Bill No. 262, which motion prevailed, and the Speaker appointed as said committee Messrs. Tipton, Mirabal, Stackhouse, Chavez (Bernalillo), and Baca.

Mr. Walters moved that the House do now adjourn until tomorrow morning at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## THIRTY-NINTH DAY.

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### MORNING SESSION

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, March 16, 1909.  
Tuesday, ten o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.  
Prayer by the Chaplain.

Mr. Walters moved that the reading of the journal of the thirty-eighth day be dispensed with, and that the same be approved by the Speaker after inspection, which motion prevailed.

The following House bills were introduced:

House Bill No. 283, introduced by Mr. Mirabal, "An act relating to the qualification of officials."

On motion of Mr. Mirabal, duly seconded and carried, the rules were suspended and House Bill No. 283 was considered referred and was read a third time in full preparatory to its passage.

Under further suspension of the rules Mr. Mirabal moved that House Bill No. 283 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—21.

Nays—Brice, Roberts—2.

The result being in the affirmative, the Speaker declared House Bill No. 283 to have passed the House.

A message from the Governor was received and read as follows: "Message No. 39.

Santa Fe, New Mexico, March 15, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Joint Resolution No. 7, authorizing the territorial secretary to furnish members of the 38th Legislative Assembly with copies of the revised session laws of 1909.

Council Bill No. 90, "An act for the removal of officers, establishing a procedure therefor, and for other purposes."

Council Bill No. 104, "An act amending Section 1112 of the Compiled Laws of 1897."

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

House Bill No. 284, introduced by Messrs Bushkevitz and Blattman, "An act entitled an act to amend Chapter 2 of the Session Laws of 1903." Read first and second times by title, and referred to the Steering Committee.

House Bill No. 285, introduced by Mr. Pacheco, "An act to regulate water rights." Read first and second times by title and referred to the Steering Committee.

House Bill No. 286, introduced by Mr. Sanchez by request, "An act relating to the collection of back taxes and providing for the collection of same." Read first and second times by title, and referred to the Steering Committee.

Mr. Roberts moved that the rules be suspended and that all bills, memorials and resolutions reported by the Steering Committee be considered read in full, unless the reading thereof be requested by some member, and that said bills, memorials and resolutions be read a third time by title preparatory to their passage, which motion prevailed.

Under said suspension of the rules the following bills on their third reading were taken up:

House Bill No. 236 read a third time by title preparatory to its passage, and by request of Mr. Walters read in full in English.

On motion of Mr. Chavez, duly seconded and carried, the reading of House Bill No. 236 in Spanish was dispensed with.

Mr. Brown offered an amendment to House Bill No. 236, which was read as follows:

"Amend Section 10 by striking out the words 'No compensation' in line three thereof and inserting after the words 'their sessions' in the fourth line the following:

'\$4.00 per day and ten cents per mile for the distance actually necessary to travel in going to and from the meetings of said board', and by striking out the following in lines 4, 5 and 6 of said section 'but each member shall be entitled to reimbursement to cover cost of executing his bond and to receive his actual expenses.'"

Mr. Walters moved that the amendment offered by Mr. Brown be tabled indefinitely. which motion prevailed.

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives, that it has duly concurred in the following House Bills Nos. 18, 99, 114, 119, 123, 131, 149, 171, 173, 197 and 205, and that it has duly passed Council Bills Nos. 147, 150 and 151, and asks the concurrence of this Honorable Body in the same."

Mr. Walters moved that House Bill No. 236 be laid on the table indefinitely, and the roll call being demanded, resulted as follows:

Ayes—Blattman, Chavez (Sierra), Chavez (Bernalillo), Gallejos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Valdez, Walters, Mr. Speaker—12.

Nays—Baca, Baker, Brice, Brown, Bushkevitz, Davidson, Moffett, Mullens, Roberts, Stackhouse, Sweezy—11.

The result being in the affirmative the Speaker declared House Bill No. 236 tabled indefinitely.

A communication was read from the New Mexico Archæological Society, thanking the members of the House of Representatives for the consideration given said Society.

House Bill No. 119 with amendments read a third time in full preparatory to its passage.

Mr. Mirabal moved that House Bill No. 119, be referred to the Steering Committee, as it had not yet been reported by said Committee, which motion prevailed, and said bill was referred to the Steering Committee.

House Bill No. 221 read a third time in full preparatory to its passage.

Mr. Baca moved that House Bill No. 221 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Walters—5.

Nays—Blattman, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Stackhouse, Sweezy, Valdez, Mr. Speaker—16.

Said motion was lost and House Bill No. 221 failed to pass the House.

House Bill No. 235 read a third time in full preparatory to its passage.

Mr. Brice moved that House Bill No. 235 do now pass, and requested a call of the House.

Whereupon the Speaker instructed the sargeant at arms to bring in the absent members, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Garcia, Martinez, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Walters, Mr. Speaker—15.

Nays—Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Mirabal, Pacheco, Sanchez, Valdez—8.

The result being in the affirmative the Speaker declared House Bill No. 235 to have passed the House.

House Bill No. 254 read a third time in full preparatory to its passage.

Mr. Brice moved that House Bill No. 254 do now pass, and the vote being unanimous, the Speaker declared House Bill No. 254 to have passed the House.



The following report the Committee of the Whole was read and adopted:

"Santa Fe, New Mexico, March 16, 1909.

Mr. Speaker:

Your Committee of the Whole, to whom has been referred House Bill No. 262, has had the same under consideration, and I am instructed to report the said bill to the House with the recommendation that it be passed as amended.

PRICE WALTERS, Chairman."

Mr. Walters moved that the rules be suspended, and that House Bill No. 262 be considered read a third time in full, and now read a third time by title preparatory to its passage, which motion prevailed.

House Bill No. 262 read a third time by title.

Under further suspension of the rules, Mr. Walters moved that House Bill No. 262 do now pass, and the vote being unanimous, the Speaker declared House Bill No. 262 to have passed the House.

Mr. Blattman moved that the House do now take a recess until this afternoon at two o'clock, which motion prevailed.

#### AFTERNOON SESSION

The House met pursuant to recess with the Speaker in the chair. All members being present, the House proceeded to business.

By unanimous consent Mr. Baker introduced the following bill:

House Bill No. 287, introduced by Mr. Baker, "An act to promote irrigation development and to conserve the waters of the Territory of New Mexico for the irrigation of lands within the Territory of New Mexico." Read first and second times by title, and referred to the Steering Committee.

Mr. Bushkevitz moved that two additional members be named by the Speaker to be added to the Steering Committee.

Mr. Roberts raised the point of order, that under rule 28 of this House, the vote of at least two-thirds of the House would be required to pass this motion, and the Speaker ruled that the Steering Committee being a privileged committee, this motion was a privileged motion, and a majority would prevail. The roll being called resulted as follows:

Ayes—Baca, Bushkevitz, Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Valdez—10.

Nays—Baker, Blattman, Brice, Brown, Chavez (Sierra), Davidson, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton Walters, Mr. Speaker—14.

The motion of Mr. Bushkevitz was lost.

Mr. Sweezy moved that the vote by which House Bill No. 234 failed to pass the House be reconsidered.

The Speaker ruled that as House Bill No. 234 failed to pass on yesterday, one legislative day had passed, and said bill could not be reconsidered.

Mr. Roberts appealed from the ruling of the Speaker, and on the question of whether the ruling of the chair should stand as the decision of this House, roll call resulted as follows:

Ayes—Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Valdez, Walters—11.

Nays—Baca, Baker, Blattman, Brice, Brown, Davidson, Moffett Mullens, Roberts, Stackhouse, Sweezy, Tipton—12.

The Speaker ruled that under Sub-section 2, of section 2, of the rules of this House it required a two-thirds vote to appeal from decision of the chair and declared said motion lost.

Mr. Roberts rose to a point of order, and the chair announced that there could be no point of order, as the chair had ruled, and upon Mr. Roberts demanding recognition, the Speaker instructed the sargeant at arms to force the gentleman from Colfax to take his seat.

Mr. Roberts moved that the sargeant at arms be instructed to permit him to remain standing on the floor, and demanded the roll call.

Mr. Chavez (Sierra), moved that the House do now adjourn until tomorrow morning at ten o'clock, and the roll call being demanded resulted as follows:

Ayes—Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Moffett, Pacheco, Sanchez, Valdez, Walters, Mr. Speaker—13.

Nays—Baca, Baker, Blattman, Brice, Brown, Davidson, Mullens, Roberts, Stackhouse, Sweezy, Tipton—11.

The result being in the affirmative the House adjourned until tomorrow morning at ten o'clock.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

## FORTIETH DAY.

## MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
Santa Fe, New Mexico, March 17, 1909.  
Wednesday, ten o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.

Prayer by the Chaplain.

Mr. Roberts addressed the House as follows:

"Yesterday an unfortunate incident occurred which we all extremely regret, but the sargeant at arms after the session made certain remarks which indicated that he might have taken the lives of some of the members of this House. It is due this House that this gentleman, being our servant, either apologize or the dignity of this House requires that we expel him."

The sargeant at arms, thereupon, stated to the House:

"It is a fact that something happened here in the House yesterday which we all regret, and that a few remarks were passed outside. I don't exactly remember those remarks, but anything that I might have said I regret very much, and for myself I am willing to apologize to this House, although the remarks were not made in the House, but whenever I am called upon to apologize, as a gentleman I think I ought to do so, and I ask the forgiveness of any member of the House who feels that I have in any way offended him."

Mr. Brown moved that the apology of the sergeant at arms be accepted, which motion prevailed.

The following message from the Council was received:

"Mr Speaker:

I am directed by the Honorable Council to inform this Honorable Body that it has concurred in the passage of House Bill No. 283, with Council amendments, and requests the concurrence of this Honorable Body in the same."

Mr. Roberts moved that the galleries be cleared, which motion prevailed, and the Speaker ordered the sargeant at arms to clear the galleries.

The Speaker introduced House Resolution No. 21, which was read as follows:

Rule 57. On any ruling or decision of the chair an appeal from the decision of the chair may be taken and a majority vote of the House may reverse any such decision.

Mr. Roberts ruled that the rules be suspended and that House Resolution No. 21 be considered referred, and that same do now pass, and the vote being unanimous the Speaker declared House Resolution No. 21 to have passed the House.

Mr. Roberts moved that on account of the nearness of the end of the session the rules be suspended from day to day and all bills, resolutions and memorials reported by the Steering Committee be read a third time in full, said bills, resolutions and memorials, upon request to be explained by the introducer or the member moving the passage of same or by a member of the Steering Committee, and all amendments to said bills, resolutions or memorials to be read in full, which motion prevailed.

Council Joint Memorial No. 7, memorializing Congress for an appropriation of money or land scrip for the purpose of relieving the Counties of Santa Fe and Grant, in the Territory of New Mexico, from the burden imposed upon them, respectively, by former congressional statutes confirming and validating certain bonds of each of the said counties issued without lawful authority. Read first and second times by title and referred to the Steering Committee.

Mr. Roberts moved that the sergeant at arms be instructed to open the doors of the House to the public, and that the House do now proceed to its regular order of business, which motion prevailed.

A message from the Governor of New Mexico was received:

The following report from the Steering Committee was read and adopted on motion of Mr. Tipton.

"Santa Fe, New Mexico, March 16, 1909.

Mr. Speaker:

Your Committee on Steering, to whom has been referred House Finance Committee Substitute for House Bills Nos. 127, 128, 134, and 135, as amended by the Legislative Council, has had the same under consideration, and I am directed to report the said bills to the House with the recommendation that the House do not concur in the Council amendments, but that the substitute of the House hereto attached be placed on its passage.

C. J. ROBERTS, Chairman."

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives, that it has duly concurred in the passage of House Bills Nos. 41, 93, 121, 172, 182, 189, 252, 279, 89, and 88; and has duly passed Council Bills Nos. 119, 152, 153, 154, 156, and asks the concurrence of this Honorable Body in these measures."

Mr. Roberts moved that House Finance Committee Substitute for House Bills Nos. 127, 128, 134 and 135, be read a third time by title preparatory to its passage, which motion prevailed.

House Finance Committee Substitute for House Bills Nos. 127, 128, 134 and 135, read a third time by title preparatory to its passage.

Mr. Roberts moved that House Finance Committee Substitute for House Bills Nos. 127, 128, 134 and 135, do now pass, and the vote being unanimous the Speaker declared House Finance Committee Substitute for House Bills Nos. 127, 128, 134 and 135, to have passed the House.

"Santa Fe, New Mexico, March 16, 1909.

Mr. Speaker:

Your Committee on Steering, to whom has been referred House Bill No. 288, has had the same under consideration, and I am directed to report said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

On motion of Mr. Brice, the report was adopted.

House Bill No. 288 read a third time by title preparatory to its passage.

Mr. Blattman moved that House Bill No. 288 do now pass, and the vote being unanimous, the Speaker declared House Bill No. 288 to have passed the House.

The following message from the Governor was read:

"Message No. 40.

"Santa Fe, New Mexico, March 16, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Bill No. 177, 'An act amending Chapter 91 of the laws of 1907.'

Council Bill No. 54, 'An act to make uniform the law of warehouse receipts in the Territory of New Mexico.'

I am, gentlemen, respectfully yours.

GEORGE CURRY, Governor of New Mexico."

"Message No. 41.

Santa Fe, New Mexico, March 16, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Bill No. 106, 'An act to enable cities, towns and property owners to extend sewer and water system.'

House Bill No. 245, 'An act for the payment of the compensation of County Superintendents out of the school funds of the county, and for other purposes.'

House Bill No. 70, 'An act regulating and prescribing the manner of the disbursement of Territorial funds.'

House Bill No. 110, 'An act to establish a Territorial roads commission to provide for a system of public highways and for other purposes.'

House Bill No. 251, 'An act to amend Chapter 94 of the acts of the 37th Legislative Assembly of New Mexico.'

House Joint Resolution No. 8, 'Vote of thanks to the El Paso Chamber of Commerce.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

"Veto Message No. 3.

Santa Fe, New Mexico, March 17, 1909.

To the Honorable E. A. Miera, Speaker, and Members of the House of Representatives, 38th Legislative Assembly, Santa Fe, New Mexico.

Gentlemen:

I have the honor to respectfully return herein, without my approval House Bill No. 10, entitled, 'An act amending Section 2 of Chapter 22 of the acts of the 35th Legislative Assembly, and for other purposes.'

This measure, in my opinion, is wrong in principle, as it involves public officials with private business affairs. It relates to the election and appointment of officers of community ditches or acequias. These ditches or acequias by the express language of Section 8 of the Compiled Laws of New Mexico of 1897, are considered corporations. They belong to the community which constructed them and which keeps them in repair for its own pur-

poses. The government of these community ditches or acequias is a matter of private business pertaining to the owners. The existing law provides that three commissioners and mayordomo shall be elected by the owners of the water rights in the ditch, and in event of the death of the mayordomo the acequia commissioners shall appoint his successor who shall serve until the following election. This arrangement is simple and vests the power where it naturally belongs, namely, with the owners of the acequias.

The measure now under consideration authorizes the county commissioners to appoint judges of election of an acequia or ditch election, or in event of a vacancy in the the board of the acequia commissioners or in the office of mayordomo, the bill provides that such vacancy be filled by appointment by the county commissioners. Such an arrangement would place private business under the authority of political officials, which of course would be subversive of every principle of propriety.

Even if this measure were proper, in my opinion, is inexpedient.

A commissioner or mayordomo may die while engaged in work in this connection, and the vacancy should be filled immediately. A delay of only a day might cause great damage, and the county commissioners may be quite a distance from the locality affected; besides, as they meet only occasionally, and it would be necessary to wait till the time of the regular session, such delays would cause great damage to the local communities.

For these reasons, gentlemen, as well as others that could be enumerated, I do not believe this measure should become law.

I am, gentlemen, respectfully yours.

GEORGE CURRY, Governor of New Mexico."

Enclose House Bill No. 100.

Mr. Garcia moved that the veto of the Governor be approved, which motion prevailed.

Mr. Blattman moved that the vote by which House Bill No. 236 passed the House be reconsidered, and the roll call being demanded resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Davidson, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Valdez—15.

Nays—Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Walters, Mr. Speaker—9.

The result being in the affirmative, House Bill No. 236 taken up for consideration.

By unanimous consent the following bills were introduced, read first and second times by title, and referred to the Steering Committee:

House Bill No. 289, introduced by Mr. Bushkevitz, "An act to amend Section 135 of Chapter 79 of the laws of the 36th Legislative Assembly, and for other purposes."

House Bill No. 290, introduced by Mr. Brice, "An act to amend Section 7 of Chapter 101 of the Acts of the 36th Legislative Assembly."

House Bill No. 291, introduced by Mr. Brice, "An act to punish the offense of bribery, and for other purposes."

House Bill No. 292, introduced by Mr. Bushkevitz, "An act relating to acknowledgements."

By unanimous consent the following report of the Steering Committee was read and adopted:

"Santa Fe, New Mexico, March 16, 1909.

Mr. Speaker:

Your Committee on Steering, to whom has been referred House Bill No. 249, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

House Bill No. 249 read a third time by title preparatory to its passage.

Mr. Brown moved that House Bill No. 249 do now pass, and the vote being unanimous, the Speaker declared House Bill No. 249 to have passed the House.

Mr. Brown offered an amendment to House Bill No. 236, which was read as follows:

"Amend Section ten by striking out the words 'no compensation' in line three thereof and inserting after the words 'their session' in the fourth line following:

'\$4.00 per day and ten cents per mile for the distance actually necessary to travel in going and coming from the meetings of said board', and by striking out the following lines 4, 5 and 6 of said section 'but each member shall be entitled to reimbursement to cover cost of executing his bond and to receive his actual expenses.'"



Mr. Valdez moved that the amendment be tabled indefinitely, and the roll call resulted as follows:

Ayes—Chavez (Bernalillo), Gallegos, Martinez, Pacheco, Sanchez, Valdez—6.

Nays—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Davidson, Garcia, Mirabal, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Mr. Speaker—17

Sand motion was lost.

Mr. Brown moved that the amendment be adopted, which motion prevailed.

Mr. Mullens offered an amendment to House Bill No. 236, which was read as follows:

“Amend Section six by striking out the words ‘sixty days and thirty days’ in line two thereof, and by inserting in lieu thereof the words ‘One hundred and twenty days in place of sixty days, and sixty days in place of thirty days.’ ”

Mr. Brice moved that the amendment be adopted, which motion prevailed.

A message from the Governor of New Mexico was received.

Mr. Baca moved that House Bill No. 236, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Davidson, Gallegos, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Mr. Speaker—16.

Nays—Chavez (Bernalillo), Garcia, Martinez, Mirabal, Pacheco, Sanchez, Valdez, Walters—8.

The result being in the affirmative, the Speaker declared House Bill No. 236 to have passed the House.

Mr. Blattman moved that the House do now take a recess until this afternoon at one thirty o'clock, which motion prevailed.

#### AFTERNOON SESSION.

The House met pursuant to recess with the Speaker in the chair.

All members being present the House proceeded to business.

Under the order of business on the Speaker's table the following bills were read first and second time by title and referred to the Steering Committee:

Council Bill No. 119, “An act to change the boundaries between Socorro and Lincoln County.”

Council Bill No. 154, “An act to amend Section 25 of Chapter 97 of the laws of 1907, relative to the levying of school tax.”

Council Bill No. 152, "An act relative to town marshals."

Council Bill No. 153, "An act relative to assessment of land for taxes."

Council Bill No. 156, "An act fixing the term of holding the District Court in the Counties of Valencia, Socorro and Grant."

Council Bill No. 150, "An act relative to taxes."

Council Bill No. 151, "An act relative to water rights."

Council Bill No. 147, "An act prohibiting saloons in the vicinity of school houses."

The following message from the Governor of New Mexico was read:

"Message No. 42.

Santa Fe, New Mexico, March 17, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Bill No. 18, 'An act providing for additional good time per month for territorial convicts.'

House Bill No. 205, 'An act to conserve and regulate the use and distribution of waters of New Mexico and for other purposes.'

House Substitute for House Bill No. 149, 'An act providing for the release of mortgages and trust deeds.'

House Bill No. 171, 'An act providing for the government of the "Neustra Senora del Rosario, San Fernando y Santiago Land Grant, in the County of Rio Arriba.'

House Substitute for House Bill No. 99, 'An act relating to the mileage of county commissioners.'

House Bill No. 118, 'An act amending Chapter 5, laws of the 36th Legislative Assembly of the Territory of New Mexico and for other purposes.'

House Bill No. 173, 'An act to provide the qualifications for admission to the bar, creating a territorial board of bar examiners, establishing a procedure for the disbarment of attorneys, and for other purposes.'

House Bill No. 123, 'An act to amend Section 19 of Chapter 62 of the acts of the 34th Legislative Assembly of New Mexico.'

House Bill No. 131, "An act requiring persons who have received a patent or patents, from the government of the United States for townsites in the Territory of New Mexico, to place same on record.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Legislative Council to announce to the Honorable House of Representatives, that it has duly passed Council Bill No. 160, 'An act relative to Sierra County,' and asks the concurrence of this Honorable Body in the same.

House Bill No. 160 read first and second times by title and referred to the Steering Committee.

The following message from the Council was announced:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has failed to concur in the passage of House Joint Resolution No. 7. It has further instructed me to announce that it has duly concurred in the passage of House Bills Nos. 189, 208, 211, 214, 235, 240, 254 and 260, and has duly passed Council Bills Nos. 73 and 57, and asks the concurrence of this Honorable Body in the same."

On motion of Mr. Roberts, duly seconded and carried, the following report of the Steering Committee was read and adopted:

"Santa Fe, New Mexico, March 17, 1909.

Mr. Speaker:

Your Committee on Steering to whom has been referred House Bill No. 89, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that the House concur in the bill as amended by the Council.

C. J. ROBERTS, Chairman."

Council amendment to House Bill No. 89 read in full and House Bill No. 89 read a third time by title preparatory to its passage.

Mr. Mullens moved that the House concur in the Council amendment to House Bill No. 89, which motion prevailed.

Mr. Mullens moved that House Bill No. 89, as amended, do now pass, and the vote being unanimous the Speaker declared said bill as amended to have passed the House.

House Bill No. 181 read a third time by title preparatory to its passage.

Mr. Stackhouse offered an amendment to House Bill No. 181 which was read as follows:

"That Section 3 be amended by inserting after the word 'Sections' in line 4 of page 2 of the printed bill the words, 'in so far as it relates to the carrying of pistols', and by inserting after

the word 'process' in line 13 on page 2 of the printed bill the words 'nor to persons traveling'."

Amendment adopted on motion of Mr. Stackhouse.

Mr. Brice moved that House Bill No. 181, as amended, do now pass, and the vote being unanimous the Speaker declared House Bill No. 181 as amended to have passed the House.

House Bill No. 230 read a third time by title preparatory to its passage.

Mr. Martinez moved that House Bill No. 230 do now pass, and the vote being unanimous the Speaker declared House Bill No. 230 to have passed the House.

House Bill No. 248 read a third time by title preparatory to its passage.

Mr. Mirabal moved that House Bill No. 248 do now pass, and the vote being unanimous the Speaker declared House Bill No. 248 to have passed the House.

House Bill No. 255 read a third time by title preparatory to its passage.

Mr. Brice moved that House Bill No. 255 do now pass, and the vote being unanimous the Speaker declared House Bill No. 255 to have passed the House.

House Bill No. 170 read a third time by title preparatory to its passage.

Mr. Mullens moved that House Bill No. 170 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Brown, Davidson, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—17.

Nays—Blattman, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Pacheco, Sanchez—7.

The result being in the affirmative, the Speaker declared House Bill No. 170 to have passed the House.

House Bill No. 206 read a third time by title preparatory to its passage.

Mr. Baker offered an amendment to House Bill No. 206, which was read as follows:

"Amend by adding the following to said bill, 'Provided a village shall include all inhabitants within one mile of the post office of such village.' "

Mr. Baker moved the adoption of the amendment, which motion prevailed.

Mr. Brown moved that House Bill No. 206, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Valdez, Walters, Mr. Speaker—20.

Nays—Blattman, Gallegos, Stackhouse, Tipton—4.

The result being in the affirmative the Speaker declared House Bill No. 206, as amended, to have passed the House.

House Bill No. 233 read a third time by title preparatory to its passage.

Mr. Brice moved that House Bill No. 233, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—23.

Nays—Walters—1.

The result being in the affirmative, the Speaker declared House Bill No. 233 to have passed the House.

House Bill No. 278 read a third time by title, preparatory to its passage.

Mr. Chavez (Sierra), moved that House Bill No. 278 do now pass and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Chavez (Sierra), Davidson, Martinez, Mirabal, Moffett, Mullens, Roberts, Mr. Speaker—11.

Nays—Blattman, Bushkevitz, Chavez (Bernalillo), Gallegos, Pacheco, Sanchez, Stackhouse, Sweezy, Valdez, Walters—10.

The result being in the affirmative the Speaker declared House Bill No. 278 to have passed the House.

House Bill No. 261 read a third time by title preparatory to its passage.

Mr. Valdez moved that House Bill No. 261 do now pass, and the roll call resulted as follows:

Ayes—Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Sanchez, Sweezy, Valdez, Walters, Mr. Speaker—14.

Nays—Baca, Baker, Blattman, Brice, Davidson, Moffett, Stackhouse—7.

The result being in the affirmative the Speaker declared House Bill No. 261 to have passed the House.

House Bill No. 137 read a third time by title preparatory to its passage.

Mr. Sanchez offered an amendment to House Bill No. 137, which was read as follows:

"At the end of Section 1 after the word 'beginning' add: 'Provided that the County of San Miguel will pay to the County of Torrance the sum of one thousand five hundred (\$1,500) dollars; otherwise the property and real estate and all other lands aggregated to San Miguel County shall stand good for the debts of Torrance County in proportion to the value of its taxation.' "

Amendment adopted on motion of Mr. Sanchez.

Mr. Valdez moved that House Bill No. 137, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Bushkevitz, Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mullens, Pacheco, Roberts, Sweezy, Valdez, Mr. Speaker—15.

Nays—Baker, Davidson, Mirabal, Moffett, Sanchez, Tipton, Walters—7.

The result being in the affirmative the Speaker declared House Bill No. 137, as amended, to have passed the House.

House Bill No. 185 read a third time in full preparatory to its passage.

Mr. Mullens moved that House Bill No. 185 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Moffett, Mullens, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Mr. Speaker—20.

Nays—Mirabal, Walters—2.

The result being in the affirmative the Speaker declared House Bill No. 185 to have passed the House.

House Bill No. 187 read a third time by title preparatory to its passage, and amendments thereto read in full.

Mr. Bushkevitz moved that House Bill No. 187, as amended, do now pass, and the vote being unanimous, the Speaker declared said bill as amended to have passed the House.

House Bill No. 275 read a third time by title preparatory to its passage of the amendment thereto read in full.

Amendment adopted on motion of Mr. Blattman.

Mr. Blattman moved that House Bill No. 275, as amended, do now pass, and the vote being unanimous the Speaker declared House Bill No. 275 as amended to have passed the House.

Council Bill No. 160 read a third time by title preparatory to its passage, and at the request of Mr. Chavez (Sierra) read in full for information.

Mr. Chavez (Sierra), moved that Council Bill No. 160 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Mirabal, Mullens, Pacheco, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—20.

Nays—Brown—1.

The result being in the affirmative the Speaker declared Council Bill No. 160 to have passed the House.

Amendments offered by the Council to House Bill No. 119 read in full.

Mr. Sanchez moved that the House do now concur in the amendments offered by the Council to House Bill No. 119, which motion prevailed.

Council Bill No. 42 read a third time by title preparatory to its passage.

Mr. Brown offered an amendment to Council Bill No. 42, which was read as follows:

Amend said bill by including in said bill the County of Union.

Mr. Brown moved that the amendment be adopted.

Mr. Blattman moved an amendment to the motion of Mr. Brown, that the amendment be tabled indefinitely, which motion prevailed.

Mr. Baker moved that Council Bill No. 42 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—20.

Nays—Brown, Bushkevitz, Mullens, Pacheco—4.

The result being in the affirmative the Speaker declared Council Bill No. 42 to have passed the House.

By unanimous consent Mr. Brown introduced the following bill, which was read first and second times by title and referred to the Steering Committee.

House Bill No. 293, introduced by Mr. Brown, "An act to provide a method by which the running at large of live stock in the County of Union may be prevented."

House Bill No. 280 read a third time by title preparatory to its passage.

Mr. Bushkevitz moved that House Bill No. 280 be tabled indefinitely.

Mr. Chavez (Sierra), offered an amendment, which was read as follows:

"By inserting after the word 'Cimarron' the following:

"Three million dollars to straighten out the Rio Grande from its mouth, to the Mexico line, to El Paso.' "

Mr. Bushkevitz offered an amendment which was read as follows:

"Add after the word 'mention' in Section 1 the following:

"That the sum of twenty-five hundred is hereby appropriated to help build a bridge over the Rio Grande at the town of Armeta in Mora County, New Mexico.

Mr. Bushkevitz moved that the amendment be adopted.

Mr. Brown moved an amendment to the motions of Messrs. Chavez (Sierra), and Bushkevitz, that the amendments offered by these gentlemen, be table dindefinitely, and the roll call being demanded, resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Davidson, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—14.

Nays—Bushkevitz, Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Sanchez, Walters—8.

The result being in the affirmative, amendments tabled indefinitely.

A message from the Governor of New Mexico was received:

The followig message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to ask of the Honorable House of Representatives for the return of Council Bill No. 157, for the further consideration of that body."

Mr. Walters moved that House Bill No. 280 be laid on the table indefinitely.

Mr. Brown moved an amendment to the motion of Mr. Walters, that House Bill No. 280 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brice, Brown, Bushkevitz, Davidson, Martinez, Moffett, Mullens, Roberts, Stackhouse, Tipton, Valdez, Mr. Speaker—14.



Nays—Baker, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Mirabal, Pacheco, Sanchez, Walters—9.

The result being in the affirmative the Speaker declared House Bill No. 280 to have passed the House.

The following message from the Governor of New Mexico was read:

“Message No. 43.

Santa Fe, New Mexico, March 17, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Bill No. 197, ‘An act to amend Chapter 11 of the laws of 1899, relative to the construction of public bridges.’

House Bill No. 260, ‘An act to amend Section 2, Chapter 69, laws of 1907.’

House Bill No. 121, ‘An act to provide for the appointment and qualification of notaries public, prescribing their duties, fixing their fees, and for other purposes.’

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico.”

Mr. Blattman moved that the House do now take a recess until this evening at seven thirty o'clock, which motion prevailed.

### EVENING SESSION

The House met pursuant to recess with the Speaker in the chair.

All members being present the House proceeded to business.

The Speaker announced having added Messrs. Davidson and Sweezy as additional members to the Conference Committee upon the Appropriation Bill.

Upon motion of Mr. Blattman, duly seconded and carried, the rules were suspended, and House Substitute for House Bill No. 74 was read a third time by title preparatory to its passage.

Under further suspension of the rules, Mr. Blattman moved that House Substitute for House Bill No. 74 do now pass, and the vote being unanimous the Speaker declared House Substitute for House Bill No. 74 to have passed the House.

The following message from the Council was received:

“Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has duly concurred in the passage of House Substitute for House Bills Nos. 127, 128,

134 and 135; also House Bill No. 248; and that it has duly passed Council Joint Memorial No. 7, and asks the concurrence of this Honorable Body in this measure."

By unanimous consent Mr. Baca introduced House Bill No. 294, "An act placing the County of Torrance in the Fifth District for District Attorney purposes." Read first and second times by title and referred to the Steering Committee.

The following report from the Steering Committee was read:

"Santa Fe, New Mexico, March 17, 1909.

Mr. Speaker:

Your Committee on Steering to whom has been referred House Bill No. 294, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

Report adopted on motion of Mr. Baca.

House Bill No. 294 read a third time by title preparatory to its passage.

Mr. Baca moved that House Bill No. 294 do now pass, and the vote being unanimous the Speaker declared House Bill No. 294 to have passed the House.

By unanimous consent Mr. Brice introduced House Bill No. 295, "An act to extend the herd law to Curry County." Read first and second times by title and referred to the Steering Committee.

House Bill No. 31 read a third time by title preparatory to its passage.

Mr. Blattman moved that House Bill No. 31 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Martinez, Mirabal, Moffett, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—21.

Nays—Gallegos, Pacheco—2.

The result being in the affirmative the Speaker declared House Bill No. 31 to have passed the House.

House Bill No. 259 read a third time by title preparatory to its passage.

Mr. Mirabal moved that House Bill No. 259 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal,

Moffett, Pacheco, Roberts, Sanchez, Stackhouse, Walters, Mr. Speaker—18.

Nays—Davidson, Sweezy, Tipton, Valdez—4.

The result being in the affirmative the Speaker declared House Bill No. 259 to have passed the House.

Council Bill No. 69 read a third time by title preparatory to its passage.

Mr. Baca moved that Council Bill No. 69 do now pass, and the vote being unanimous the Speaker declared Council Bill No. 69 to have passed the House.

Council Substitute for House Bill No. 84 read a third time by title preparatory to its passage.

Mr. Roberts moved that Council Substitute for House Bill No. 84 do now pass, and the roll call resulted as follows:

Ayes—Baca, Blattman, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—17.

Nays—Baker, Brice, Davidson, Moffett, Mullens, Pacheco, Walters—7.

The result being in the affirmative the Speaker declared Council Substitute for House Bill No. 84 to have passed the House.

Council Bill No. 41 read a third time by title preparatory to its passage.

Mr. Brice moved that Council Bill No. 41 do now pass, and the vote being unanimous the Speaker declared Council Bill No. 41 to have passed the House.

Council Bill No. 39 read a third time by title preparatory to its passage.

Mr. Roberts moved that Council Bill No. 39 do now pass, and the vote being unanimous the Speaker declared said bill to have passed the House.

Council Bill No. 30 read a third time by title preparatory to its passage.

Mr. Brice moved that Council Bill No. 30 do now pass, and the vote being unanimous the Speaker declared said bill to have passed the House.

Council Bill No. 130 read a third time by title preparatory to its passage.

Mr. Walters moved that Council Bill No. 130 do now pass, and the vote being unanimous the Speaker declared said bill to have passed the House.

Council Substitute for Council Bill No. 51 read a third time by title preparatory to its passage and amendment thereto read in full.

Amendment adopted on motion of Mr. Roberts.

Mr. Roberts moved that Council Substitute for Council Bill No. 51 do now pass, and the roll call resulted as follows:

Ayes—Baker, Brice, Chavez (Bernalillo), Davidson, Gallegos, Moffett, Roberts, Stackhouse, Sweezy, Tipton, Walters, Mr. Speaker—12.

Nays—Baca, Blattman, Brown, Bushkevitz, Chavez (Sierra), Garcia, Mullens, Pacheco, Sanchez, Valdez—12.

Said motion was lost and Council Substitute for Council Bill No. 51 failed to pass.

House Bill No. 289 read a third time by title preparatory to its passage.

Mr. Bushkevitz moved that House Bill No. 289 do now pass, and the vote being unanimous the Speaker declared said bill to have passed the House.

Council Bill No. 137 read a third time by title preparatory to its passage.

Mr. Tipton moved that Council Bill No. 137 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Roberts, Stackhouse, Sweezy, Tipton, Walters, Mr. Speaker—13.

Nays—Blattman, Brown, Bushkevitz, Gallegos, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Valdez—11.

The result being in the affirmative the Speaker declared said bill to have passed the House.

Mr. Baca moved that the vote by which Council Substitute for Council Bill No. 51 failed to pass the House by a tie vote be reconsidered and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Mirabal, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Walters, Mr. Speaker—18.

Nays—Blattman, Brown, Martinez, Pacheco, Sanchez, Valdez—6.

Said motion prevailed.

Mr. Baca moved that Council Substitute for Council Bill No. 51 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Mirabal, Moffett, Mul-

lens, Roberts, Stackhouse, Sweezy, Tipton, Walters, Mr. Speaker—18.

Nays—Blattman, Brown, Martinez, Pacheco, Sanchez, Valdez—6.

The result being in the affirmative the Speaker declared Council Substitute for Council Bill No. 51 to have passed the House.

Council Bill No. 138 read a third time by title preparatory to its passage.

Mr. Tipton moved that Council Bill No. 138 do now pass and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Mullens, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Mr. Speaker—17.

Nays—Brown, Moffett, Pacheco, Valdez, Walters—5.

The result being in the affirmative the Speaker declared Council Bill No. 138 to have passed the House.

Council Substitute for Council Bill No. 6 read a third time by title preparatory to its passage.

Mr. Brice moved that Council Substitute for Council Bill No. 6 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—19.

Nays—Blattman, Brown—2.

The result being in the affirmative the Speaker declared Council Substitute for Council Bill No. 6 to have passed the House.

Council Bill No. 8 read a third time by title preparatory to its passage and amendments thereto read in full.

Mr. Mullens moved that Council Bill No. 8, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Davidson, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Walters, Mr. Speaker—20.

Nays—Chavez (Bernalillo), Gallegos, Valdez—3.

The result being in the affirmative the Speaker declared Council Bill No. 8, as amended, to have passed the House.

By unanimous consent the following report of the Steering Committee was read and adopted:

"Santa Fe, New Mexico, March 17, 1909.

Mr. Speaker:

Your Steering Committee to whom has been referred Council Bill No. 89, has had the same under consideration, and I am directed to report the said bill to the House with the recommendation that it be passed.

C. J. ROBERTS, Chairman."

Mr. Baca moved that Council Bill No. 89 do now pass.

Council Bill No. 89 read a third time by title preparatory to its passage and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22:

The vote being unanimous the Speaker declared Council Bill No. 89 to have passed the House.

Council Bill No. 140 read a third time by title preparatory to its passage.

Mr. Blattman moved that Council Bill No. 140 do now pass, and the vote being unanimous the Speaker declared said bill to have passed the House.

Council Bill No. 13 read a third time by title preparatory to its passage, and the amendments thereto read in full.

Mr. Sanchez moved that Council Bill No. 13, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Davidson, Garcia, Mirabal, Moffett, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—18.

Nays—Chavez (Bernalillo), Gallegos, Martinez, Pacheco—4.

The result being in the affirmative the Speaker declared Council Bill No. 13, as amended, to have passed the House.

Council Bill No. 44 read a third time by title preparatory to its passage.

Mr. Brice moved that Council Bill No. 44 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—22.

Nays—Walters—1.

The result being in the affirmative the Speaker declared Council Bill No. 44 to have passed the House.

Mr. Tipton moved that the House do now adjourn until tomorrow morning at ten o'clock, which motion was lost.

Council Bill No. 23 read a third time by title preparatory to its passage, and amendment thereto read in full.

Amendment adopted on motion of Mr. Blattman.

Mr. Blattman moved that Council Bill No. 23, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—21.

Nays—Pacheco, Walters—2.

The result being in the affirmative the Speaker declared Council Bill No. 23 as amended to have passed the House.

Council Bill No. 24 read a third time by title preparatory to its passage.

Mr. Sanchez moved that Council Bill No. 24 do now pass, and the vote being unanimous the Speaker declared Council Bill No. 24 to have passed the House.

Council Substitute for Council Bill No. 29 read a third time by title preparatory to its passage.

Mr. Sanchez moved that Council Substitute for Council Bill No. 29 do now pass, and the vote being unanimous the Speaker declared Council Substitute for Council Bill No. 29 to have passed the House.

Council Bill No. 48 read a third time by title preparatory to its passage.

Mr. Bushkevitz moved that Council Bill No. 48 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—21.

Nays—Pacheco, Walters—2.

The result being in the affirmative the Speaker declared Council Bill No. 48 to have passed the House.

Council Substitute for Council Bill No. 82 read a third time by title preparatory to its passage.

Mr. Bushkevitz moved that Council Substitute for Council Bill

No. 82 do now pass, and the vote being unanimous the Speaker declared said bill to have passed the House.

A message from the Governor was received.

Council Bill No. 121 read a third time by title preparatory to its passage.

Mr. Chavez (Sierra), moved that Council Bill No. 121 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—22.

Nays—Walters—1.

The result being in the affirmative, the Speaker declared Council Bill No. 121 to have passed the House.

Council Bill No. 126 read a third time by title preparatory to its passage.

Mr. Brice moved that Council Bill No. 126 do now pass, and the roll call resulted as follows:

Ayes—Baker, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Roberts, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—20.

Nays—Blattman, Tipton—2.

The result being in the affirmative the Speaker declared Council Bill No. 126 to have passed the House.

The following message from the Council was announced:

“Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has duly concurred in the passage of House Bill No. 120, ‘An act relative to elections.’”

Council Bill No. 135 read a third time by title preparatory to its passage.

Mr. Brice moved that Council Bill No. 135 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Stackhouse, Tipton, Mr. Speaker—18.

Nays—Roberts, Valdez, Walters—3.

The result being in the affirmative the Speaker declared Council Bill No. 135 to have passed the House.



Mr. Baker moved that the House do now adjourn until tomorrow morning at ten o'clock, which motion was lost.

Council Bill No. 77 read a third time by title, and amendments thereto read in full.

Amendments adopted on motion of Mr. Davidson.

Mr. Davidson moved that Council Bill No. 77, as amended, do now pass, and the vote being unanimous the Speaker declared said bill as amended to have passed the House.

Council Substitute for Council Bill No. 96 read a third time by title preparatory to its passage.

Mr. Bushkevitz moved that Council Substitute for Council Bill No. 96 be tabled indefinitely, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Davidson, Gallegos, Moffett, Mullens, Roberts, Stackhouse, Tipton, Valdez, Walters, Mr. Speaker—17.

Nays—Chavez (Bernalillo), Garcia, Martinez, Mirabal, Pacheco, Sanchez, Sweezy—7.

Said motion prevailed.

Mr. Brown moved that the vote by which Council Substitute for Council Bill No. 96 was tabled indefinitely be reconsidered and that the reconsideration be tabled indefinitely, which motion prevailed.

Council Joint Resolution No. 13 read a third time by title preparatory to its passage.

Mr. Davidson moved that Council Joint Resolution No. 13 do now pass, and the roll call resulted as follows:

Ayes—Baker, Blattman, Brice, Davidson, Moffett, Roberts, Stackhouse, Sweezy, Tipton—9.

Nays—Baca, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Sanchez, Valdez, Walters, Mr. Speaker—15.

Said motion was lost.

The following messages from the Governor were read:

"Message No. 44.

" Santa Fe, New Mexico, March 17, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Amended Council Bill No. 100, 'An act to empower the county commissioners in the Territory of New Mexico to dispose of public buildings.'

Council Bill No. 160, 'An act to amend an act of the 38th Legis-

lative Assembly entitled an act to abolish the county of Sierra, created by the Legislative Assembly of 1884, Chapter 109, approved April 3, 1884, and creating a new county with different boundaries with the name of Sierra, and for other purposes.'

Amended Council Bill No. 102, 'An act to amend Section 2917 of the Compiled Laws of 1897.'

Amended Council Bill No. 70, 'An act to validate certain indebtedness of school district No. 8, county of Guadalupe.'

House Bill No. 279, 'An act to abolish the County of Sierra created by the Legislative Assembly of 1884, Chapter 109, approved April 3, 1884, and creating a new county with different boundaries with the name of Sierra, and for other purposes.'

House Bill No. 93, 'An act to define placer mining claims and to regulate the location thereof in the Territory of New Mexico.'

House Bill No. 41, 'Amending an act providing for funds and making appropriations for the 59th and 60th fiscal years, approved March 21, 1907.'

House Bill No. 172, 'An act to provide an appropriation for gauging the streams of the Territory of New Mexico and encouraging irrigation.'

House Bill No. 252, 'An act providing for the organization and government of water users' associations.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

"Message No. 45.

Santa Fe, New Mexico, March 17, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Bill No. 188, 'An act providing for the fencing of gardens and farms, and providing for the recovery of damages in case of same being trespassed upon by livestock, and for other purposes.'

House Bill No. 182, 'An act to amend Chapter 107 of the laws of 1903, entitled 'An act to create county boards of horticultural commissioners in the Territory of New Mexico and to promote the horticultural interests in said Territory.'

House Bil No. 254, 'An act to amend Section 2892 of the Compiled Laws of 1897.'

House Bill No. 254, 'An act to provide for the accurate keeping of account of all moneys received and disbursed by the clerks of the district courts, and for other purposes.'

House Bill No. 211, 'An act to establish and create a board known as the Territorial Board of Embalmers of the Territory of New Mexico.'

H. S. House Bill No. 89, 'An act to regulate the use of artesian wells, storage reservoirs and ditches connected therewith, and to prevent the waste of subterranean flows of water, and for other purposes, and to repeal Chapter 17 of the acts of the 36th Legislative Assembly of the Territory of New Mexico, entitled, 'An act to regulate the use of artesian wells and to prevent the waste of subterranean flows of water and for other purposes,' approved Feb. 22, 1905.'

House Bill No. 235, 'An act to enable cities, towns and villages in the Territory of New Mexico to procure water for irrigation purposes, and to assess the cost and expense of such irrigation against the property to be benefited thereby and for other purposes.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

"Message No. 46.

Santa Fe, New Mexico, March 17, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Bill No. 119, 'An act providing for appointment of a district attorney in and for the county of McKinley.'

House Bill No. 208, 'An act to amend Section 915 of the Compiled Laws of 1897.'

House Bill No. 88, 'An act in regard to garnishment proceedings.'

House Bill No. 248, 'An act for the repression of contagious and infectious diseases among cattle, horses, mules, and asses, and to provide for the extirpation of such diseases and to protect the public health, being Council Bill No. 34 of the 38th Legislative Assembly of the Territory of New Mexico, approved by the Governor Feb. 25, 1909, and to amend Section 213 of the Compiled Laws of 1897 and to re-enact Section 231 of said Compiled Laws.'

House Substitute for House Bills Nos. 127, 128, 134 and 135, 'An act to provide for the completion of the armories at East Las Vegas, Las Cruces, Roswell, Santa Fe and Silver City, providing

for the insurance of said buildings, and making an appropriation for such purposes.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

Mr. Moffett moved that the House do now adjourn until tomorrow morning at ten o'clock, which motion prevailed.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.

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## FORTY-FIRST DAY.

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### MORNING SESSION

HOUSE OF REPRESENTATIVES.

Santa Fe, New Mexico, March 18, 1909.

Thursday, 10 o'clock.

The House met pursuant to adjournment with the Speaker in the chair.

All members being present the House proceeded to business.

Prayer by the Chaplain.

Mr. Walters moved that the reading of the journal of the fortieth day be dispensed with, and that the same be approved by the Speaker after inspection, which motion prevailed.

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Legislative Council to announce to the Honorable House of Representatives that it has duly concurred in the passage of House Bill Nos. 187, 249, 280, 289 and 294; also that it has duly passed Council Bill No. 161 and asks the concurrence of this Honorable Body in this measure."

House Joint Resolution No. 9, introduced by Mr. Blattman, appropriating one hundred and twenty-four dollars as a compensation to F. W. Newell for his services as reading clerk of the House of the Representatives of the Thirty-eighth Legislative Assembly, for the last thirty days of the session.

Mr. Blattman moved that the rules be suspended and that House Joint Resolution No. 9 be considered referred, and now read a

third time in full preparatory to its passage, which motion prevailed.

House Joint Resolution No. 9 read a third time in full.

Mr. Blattman moved that House Joint Resolution No. 9 do now pass, and the vote being unanimous, the Speaker declared House Joint Resolution No. 9 to have passed the House.

House Joint Resolution No. 10 introduced by Mr. Blattman, providing additional pay for the regular employes of the Capitol.

Mr. Blattman moved that the rules be suspended, and that House Joint Resolution No. 10 be considered referred, and now read a third time in full preparatory to its passage, which motion prevailed.

House Joint Resolution No. 10 read in full.

Mr. Martinez offered an amendment to House Joint Resolution No. 10 which was read as follows:

"Amend by changing the words 'seven hundred and twenty dollars' to read 'five hundred dollars.'"

Mr. Martinez moved the adoption of the amendment.

Mr. Blattman moved an amendment to the motion of Mr. Martinez that the amendment be tabled indefinitely, said motion was lost.

Amendment of Mr. Martinez adopted.

Mr. Baker offered an amendment to House Joint Resolution No. 10, which was read as follows:

"Amend in place of the words 'one dollar and fifty cents per day' by submitting therefor the words 'one dollar per day.'"

Amendment adopted on motion of Mr. Martinez.

Under further suspension of the rules Mr. Blattman moved that House Joint Resolution No. 10, as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Mullens, Pacheco, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—22.

Nays—Moffett—1.

The result being in the affirmative the Speaker declared House Joint Resolution No. 10, as amended, to have passed the House.

Council Bill No. 161, 'An act authorizing the appointment of special officers for the pursuit and arrest of outlaws and for the protection of life and property.' Read first and second times by title and referred to the Steering Committee.

Under the order of bills on their third reading and acting under

the motion of Mr. Roberts, on yesterday the following bills and resolutions were taken up:

Council Bill No. 119, read a third time by title preparatory to its passage.

Mr. Sanchez moved that Council Bill No. 119 do now pass, and the vote being unanimous, the Speaker declared said bill to have passed the House.

A message from the Governor was received and read as follows: "Message No. 47.

Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Substitute for House Bill No. 213, 'An act relative to the publication of legal notices.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

Council Bill No. 101 read a third time by title and amendment thereto read in full.

Mr. Chavez (Sierra), moved that Council Bill No. 101 as amended, do now pass, and the vote being unanimous, the Speaker declared Council Bill No. 101, as amended, to have passed the House.

House Bill No. 244 read a third time by title preparatory to its passage and amendment thereto read in full.

Amendment adopted on motion of Mr. Moffett.

Mr. Baca moved that House Bill No. 244, as amended, do now pass, and the vote being unanimous, the Speaker declared House Bill No. 244, as amended, to have passed the House.

Council Bill No. 156 read a third time by title and in full for information.

Mr. Blattman moved that Council Bill No. 156 do now pass, and the vote being unanimous, the Speaker declared Council Bill No. 156 to have passed the House.

House Bill No. 222 read a third time by title preparatory to its passage.

Mr. Baca moved that House Bill No. 222 do now pass, and the vote being unanimous, the Speaker declared House Bill No. 222 to have passed the House.

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce

to the Honorable House of Representatives that it has duly passed Council Bill No. 163, 'An act to regulate elections and to provide for non-partisan election boards and to punish certain crimes, and to amend and repeal certain portions of the Compiled Laws of 1897 relating to elections, and for other purposes,' and respectfully asks the concurrence of this Honorable Body in this measure."

On motion of Mr. Roberts the rules were suspended and Council Bill No. 163, 'An act to regulate elections and to provide for non-partisan election boards and to punish certain crimes, and to amend and repeal certain portions of the Compiled Laws of 1897,' read first and second times by title and referred to the Steering Committee.

House Bill No. 226 read a third time by title preparatory to its passage and amendments thereto read in full.

On motion of Mr. Brice, amendments adopted.

Mr. Brice moved that House Bill No. 226, as amended, do now pass, and the vote being unanimous the Speaker declared House Bill No. 226 to have passed the House.

Council Substitute for Council Bill No. 125, read a third time by title preparatory to its passage.

Mr. Sanchez moved that Council Substitute for Council Bill No. 126 do now pass, and the vote being unanimous the Speaker declared Council Substitute for Council Bill No. 125 to have passed the House.

Amended House Bill No. 189 read a third time by title preparatory to its passage.

Mr. Stackhouse moved that Amended House Bill No. 189 do now pass and the roll call being demanded resulted as follows:

Ayes—Baca, Baker, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—20.

Nays—Martinez—1.

The result being in the affirmative, the Speaker declared amended House Bill No. 189 to have passed the House.

House Bill No. 108 read a third time by title preparatory to its passage, and amendments thereto read in full.

Mr. Walters moved that House Bill No. 108 be tabled indefinitely, which motion prevailed.

House Bill No. 108 tabled indefinitely.

House Bill No. 292 read a third time by title preparatory to its passage.

Mr. Brice moved that House Bill No. 292 do now pass, and the vote being unanimous, the Speaker declared House Bill No. 292 to have passed the House.

House Bill No. 290 read a third time by title preparatory to its passage.

Mr. Brice moved that House Bill No. 290 do now pass, and the vote being unanimous, the Speaker declared House Bill No. 290 to have passed the House.

House Bill No. 168 read a third time by title preparatory to its passage, and amendments thereto read in full.

Mr. Bushkevitz moved that House Bill No. 168 as amended, do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Brice, Bushkevitz, Chavez (Sierra) Chavez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Pacheco, Roberts, Sanchez, Sweezy, Tipton, Valdez, Walters. Mr. Speaker—20.

Nays—Blattman, Brown—2.

The result being in the affirmative the Speaker declared House Bill No. 168 to have passed the House.

Council Joint Resolution No. 12 read a third time by title preparatory to its passage.

Mr. Brice moved that Council Joint Resolution No. 12 do now pass and the vote being unanimous, the Speaker declared Council Joint Resolution No. 12 to have passed the House.

Amendments offered by the Council to House Bill No. 240 read in full.

Mr. Davidson moved that the House do now concur in the amendments offered by the Council to House Bill No. 240 which motion prevailed.

House Substitute for House Bill No. 144 read a third time by title preparatory to its passage.

Mr. Baca moved that House Substitute for House Bill No. 144 do now pass, and the vote being unanimous, the Speaker declared House Substitute for House Bill No. 144 to have passed the House.

House Bill No. 167 read a third time by title preparatory to its passage.

Mr. Sweezy moved that House Bill No. 167 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Brown, Bushkevitz, Chavez (Sierra), Cha-



vez (Bernalillo), Davidson, Gallegos, Garcia, Martinez, Mirabal, Moffett, Mullens, Pacheco, Sanchez, Stackhouse, Tipton, Valdez, Mr. Speaker—18.

Nays—Baker, Blattman, Brice, Roberts, Sweezy, Walters—6.

The result being in the affirmative, the Speaker declared House Bill No. 167 to have passed the House.

Mr. Moffett moved that the House do now take a recess until this afternoon at two o'clock, which motion prevailed.

#### AFTERNOON SESSION

The House met pursuant to recess with the Speaker in the chair.

All members being present the House proceeded to business.

The following report of the Steering Committee was read:

"Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

Your Committee on Steering, to whom has been referred House Bill No. 247, has had the same under consideration and I am directed to report the said bill to the House with the recommendation that it be laid on the table indefinitely.

C. J. ROBERTS, Chairman."

Mr. Brice moved that the report of the committee be adopted, and the roll call being demanded, resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Davidson, Garcia, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Mr. Speaker—17.

Nays—Gallegos, Martinez, Mirabal, Pacheco, Sanchez, Valdez, Walters—7.

The result being in the affirmative, the report of the committee was adopted.

Mr. Brice moved that the vote by which the report of the Steering Committee was adopted be reconsidered and that the reconsideration be laid on the table indefinitely and the roll call being demanded, resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Davidson, Garcia, Martinez, Moffett, Mullens, Roberts, Sanchez, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—20.

Nays—Chavez (Bernalillo), Gallegos, Mirabal, Pacheco—4.

The result being in the affirmative, said motion prevailed.

Mr. Brice moved that House Bill No. 247 be laid on the table indefinitely, which motion prevailed.

House Bill No. 247 tabled indefinitely.

A message from the Governor of New Mexico was received:

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives, that it has failed to concur in the passage of House Bills Nos. 262 and 156, being the appropriation bill, but that it has passed in lieu thereof, Council Substitute for House Bills Nos. 262 and 156, and asks the concurrence of this Honorable Body in the same. That it has concurred in the passage of House Substitute for Council Bill No. 89, and that it has also concurred in the passage of House Bill No. 137, House Bill No. 235; also that it has duly passed Council Bills Nos. 7, 16 and 71, and asks the concurrence of this Honorable Body in the same."

Mr. Roberts moved that the House do not concur in the Substitute offered by the Council for House Bills Nos. 262 and 156, and that the House ask for a conference committee, which motion prevailed.

Whereupon the Speaker instructed the clerk of the House to so notify the Council.

The following messages from the Governor were read:

"Message No. 50.

Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Bill No. 137, 'An act entitled an act relating to city Councils.'

Council Bill No. 138, 'An act amending Section 8 of Chapter 18 of the acts of the 36th Legislative Assembly of the Territory of New Mexico, entitled, 'An act for the protection of property from the waters of the Rio Grande.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

"Message No. 51.

Santa Fe, New Mexico, March 18, 1909.

Hon. E. A. Miera, Speaker, and Members of the House of Representatives of the 38th Legislative Assembly.

Gentlemen:

I have the honor to inform you that I has this day allowed

Council Bill No. 86, 'An act entitled an act relating to the changing of County Seats,' to become law by limitation.

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

The following message from the Council was announced:

"Mr Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has appointed a conference committee to confer with a like committee from the House of Representatives, on the subject of the appropriation bill."

The following message from the Governor of New Mexico was read:

"Veto Message No. 4.

Santa Fe, New Mexico, March 18, 1909.

Hon. E. A. Miera, and Members of the House of Representatives,  
of the 38th Legislative Assembly of New Mexico.

Gentlemen:

I have the honor to return herein without my approval, House Substitute for House Bill No. 162, entitled, 'An act authorizing members of the 38th Legislative Assembly to appoint indigent students to certain educational institutions in the Territory of New Mexico.'

This measure appears to be unnecessary, as I understand that other legislation covering the subject referred to, is now being considered by your Honorable Assembly.

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

Enclose House Substitute for House Bill No. 162.

Mr. Roberts moved that the veto of the Governor be sustained, which motion prevailed.

Mr. Roberts moved that House Substitute for House Bill No. 120 be taken up for consideration, which motion prevailed.

House Substitute for House Bill No. 120 read a third time by title preparatory to its passage.

Mr. Sanchez moved that House Substitute for House Bill No. 120 do now pass, and the vote being unanimous, the Speaker declared House Bill No. 120 to have passed the House.

Mr. Walters moved that the House do now take a recess subject to the call of the Speaker, for the purpose of allowing the confer-

ence committee of the House to confer with a like committee from the Council, which motion prevailed.

The Speaker called the House to order.

The following report of the Conference Committee was read:

Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

Your Committee on Conference respectfully reports that it has conferred with a like committee from the Council, and begs leave to submit, Conference Committee Substitute for House Bills Nos. 262 and 156, and recommends the passage of the same.

Respectfully submitted,

SILVESTRE MIRABAL, Chairman."

Report adopted on motion of Mr. Blattman. ,

A message from the Governor of New Mexico was received.

By unanimous consent Mr. Moffett intrnduced the following bill which was read first and second times by title and referred to the Steering Committee.

House Bill No. 296, introduced by Mr. Moffett, by request, "An act to regulate civil proceedure."

On motion of Mr. Baca, duly seconded and carried, Conference Committee Substitute for House Bills Nos. 262 and 156, was read a third time by title preparatory to its passage.

Mr. Brown moved that Conference Committee Substitute for House Bills No. 262 and 156 do now pass, and the vote being unanimous, the Speaker declared Conference Committee Substitute for House Bills Nos. 262 and 156 to have passed the House.

The following message from the Governor was read:

"Message No. 52.

Santa Fe, New Mexico, March 17, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Bill No. 249, 'An act for the protection of game and fish, and for other purposes.'

House Bill No. 280, 'An act appropriating the sum of five thousand dollars for the straightening of the Dry Cimarron River course at Folsom, Union County, New Mexico.'

House Bill No. 289, 'An act to amend Section 135 of Chapter 79 of the laws of the 36th Legislative Assembly, and for other purposes.'

House Bill No. 294, 'An act placing the County of Torrance in the Fifth District Attorney District.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

By unanimous consent, Mr. Blattman introduced the following bill, which was read first and second times by title and referred to the Steering Committee:

House Bill No. 297, introduced by Mr. Blattman, "An act for the protection of merchants."

Mr. Brice stated that a mistake had been made by the clerk, and that Council Bill No. 96 had been reported as passed the House, when it should have been tabled indefinitely, and moved that said bill be recalled from the Governor, and the proper corrections made, which motion prevailed.

By unanimous consent, Mr. Brice introduced House Bill No. 298, "An act to amend House Substitute for House Bill No. 89, of the acts of the 38th Legislative Assembly, entitled an act to regulate the use of artesian wells, etc., approved March 17, 1909." Read first and second times by title.

On motion of Mr. Mullens, duly seconded and carried, the rules were suspended and House Bill No. 298 was considered referred and was read a third time by title preparatory to its passage.

Mr. Brice moved that House Bill No. 298 do now pass, and the vote being unanimous, the Speaker declared House Bill No. 298 to have passed the House.

On motion of Mr. Sanchez, duly seconded and carried, the rules were suspended and House Bill No. 297 was considered referred and was read a third time preparatory to its passage.

Mr. Sanchez moved that House Bill No. 297 do now pass, and the vote being unanimous, the Speaker declared House Bill No. 197 to have passed the House.

Mr. Sanchez moved that the House do now take a recess until this evening at seven o'clock, and the roll call being demanded, resulted as follows:

Ayes—Baca, Chavez (Bernalillo), Garcia, Martinez, Mirabal, Sanchez, Walters—7.

Nays—Baker, Blattman, Brown, Bushkevitz, Chavez (Sierra), Davidson, Gallegos, Moffett, Mullens, Pacheco, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Mr. Speaker—16.

Said motion was lost.

The following report of the Steering Committee was read and adopted:

"Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

Your Committee on Steering, to whom has been referred Council Bill No. 71, and House Bill No. 298 and 236, as amended, has had the same under consideration and I am directed to report the said bills to the House with the recommendation that they be passed.

C. J. ROBERTS, Chairman."

Council Bill No. 71 read a third time by title preparatory to its passage.

Mr. Roberts moved that Council Bill No. 71 do now pass, and the vote being unanimous, the Speaker declared Council Bill No. 71 to have passed the House.

Council amendments to House Bill No. 236 read in full.

Mr. Brice moved that the House do now concur in the amendments offered by the Council to House Bill No. 236, and the vote being unanimous, the Speaker declared the House as having concurred in the amendments.

House Substitute for House Bill No. 285 and Council Bill No. 151, read a third time by title.

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has duly concurred in the amendments to House Bill No. 120, 'An act to regulate elections and to provide for non-partisan election boards and to punish certain crimes, to amend and repeal certain portions of the Compiled Laws of 1897, relating to elections, and for other purposes.'

Mr. Roberts moved that House Substitute for House Bill No. 285 and Council Bill No. 151 do now pass, and the roll call resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Chavez (Sierra), Davidson, Gallegos, Martinez, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Walters, Mr. Speaker—16.

Nays—Chavez (Bernalillo), Garcia, Mirabal, Pacheco, Sanchez, Valdez—6.

The result being in the affirmative, the Speaker declared House

Substitute for House Bill No. 285 and Council Bill No. 151 to have passed the House.

Mr. Stackhouse moved that the House do now take a recess until this evening at eight o'clock, which motion prevailed.

#### EVENING SESSION

The House met pursuant to recess with the Speaker in the chair.

All members being present the House proceeded to business.

The Speaker announced that in order to expedite matters a standing vote would be taken on all motions.

By unanimous consent Mr. Blattman introduced House Joint Resolution No. 7, appropriating two hundred and eighty dollars additional pay to E. H. Salazar, Chief Clerk of the House of Representatives.

On motion of Mr. Blattman, duly seconded and carried, House Joint Resolution No. 7 was read a third time in full preparatory to its passage.

Mr. Blattman moved that House Joint Resolution No. 7 do now pass, which motion prevailed and the Speaker declared House Joint Resolution No. 7 to have passed the House.

Mr. Moffett arose to a point of order that the rules had not been suspended, and the Speaker ruled that said point of order was not well taken.

The following messages from the Governor of New Mexico were read:

"Message No. 54.

Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Bill No. 130, 'An act relative to the Carey act.'

Council Bill No. 30, 'An act to validate and legalize all marriages.'

Council Substitute for House Bill No. 84, 'An act to amend Chapter 34 of the acts of the 37th Legislative Assembly, entitled an act to regulate the practice of medicine in New Mexico, and to establish a board of health and medical examiners.'

Council Bill No. 41, 'An act to punish the making or use of false statements to obtain credit.'

Council Bill No. 140, 'An act to amend an act to provide for the management of the Las Vegas Grant, and for other purposes.'

Council Substitute for Council Bill No. 51, 'An act to amend

the banking laws of the Territory of New Mexico and to provide for an assistant to the Traveling Auditor and Bank Examiner, and for other purposes.'

Council Substitute for Council Bill No. 82, 'An act in relation to evidence.'

Council Bill No. 48, 'An act to further amend Section 1532 of the Compiled Laws of 1897 relating to the qualification of voters at school elections.'

Council Bill No. 24, 'An act providing that all prisoners confined in the county jail be compelled to work, and for other purposes.'

Council Bill No. 42, 'An act for the establishment of a herd law.'

Council Bill No. 14, 'An act providing for proceedings supplementary to execution.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

"Message No. 55.

Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Bill No. 8, 'An act to provide for government of certain cities and towns, etc.'

Council Bill No. 69, 'An act to establish the New Mexico Spanish-American Normal School.'

Council Bill No. 39, 'An act for fixing the time for holding the terms of the district court for the 4th judicial district of the Territory of New Mexico.'

Council Bill No. 126, 'An act to prevent women from loitering in or around or frequenting saloons or places where liquor is served or furnished.'

Council Bill No. 121, 'An act to amend Section 1 of Chapter 121 of the Session Laws of the 36th Legislative Assembly, approved March 16, 1905.'

House Substitute for Council Substitute for Council Bill No. 89, 'An act relating to bounties on wild animals.'

Council Substitute for Council Bill No. 29, 'An act concerning procedure in the probate courts of the Territory of New Mexico, and defining the powers of probate judges.'

Amended House Bill No. 189, 'An act for the protection of the industries of the Indians in New Mexico.'



Amended House Bill No. 240, 'An act providing for the liquidation of the judgments against counties.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has duly concurred in the passage of House Joint Resolution No. 10, and House Substitute for House Bill No. 74, House Bill No. 170, House Substitute for House Bill No. 285 and House Bill No. 151; that it has also passed Council Bills Nos. 159, 165 and 166, and asks the concurrence of this Honorable Body in the same."

The following report of the Steering Committee was read and adopted.

"Mr. Speaker:

Your Committee on Steering, to whom has been referred House Bill No. 295, and Council Bill No. 44, has had the same under consideration, and I am directed to report the said bills to the House with the recommendation that they be passed.

C. J. ROBERTS, Chairman."

House Bill No. 295 read a third time by title preparatory to its passage.

Mr. Brice moved that House Bill No. 295 do now pass, which motion prevailed, and the Speaker declared House Bill No. 295 to have passed the House.

Council Substitute for Council Bill No. 109 read a third time by title preparatory to its passage, and the amendments offered by the Steering Committee read in full.

Mr. Brice moved that Council Substitute for Council Bill No. 109, as amended, do now pass, which motion prevailed, and the Speaker declared said bill to have passed the House.

House Bill No. 243 read a third time by title preparatory to its passage.

Mr. Valdez moved that House Bill No. 243 do now pass, which motion prevailed, and the Speaker declared said bill to have passed the House.

House Bill No. 274 read a third time by title preparatory to its passage.

Mr. Roberts moved that House Bill No. 274 do now pass, which

motion prevailed, and the Speaker declared said bill to have passed the House.

House Bill No. 209 read a third time by title preparatory to its passage.

Mr. Tipton moved that House Bill No. 209 do now pass, which motion prevailed, and the Speaker declared said bill to have passed the House.

House bill No. 151 read a third time by title preparatory to its passage.

Mr. Martinez moved that House Bill No. 151 as amended, do now pass, which motion prevailed, and the Speaker declared House Bill No. 151 to have passed the House.

House Bill No. 192 read a third time by title preparatory to its passage.

Mr. Sanchez offered an amendment to House Bill No. 192, which was read as follows:

"Add at the end of Section 4 the following words 'that the county commissioners are empowered to appoint a supervisor to direct the work of said drainage when the county commissioners may deem it necessary.' "

Amendment adopted on motion of Mr. Sanchez.

Mr. Sanchez moved that House Bill No. 192 as amended, do now pass, which motion prevailed, and the Speaker declared House Bill No. 192 as amended, to have passed the House.

House Substitute for House Bill No. 283 read a third time by title preparatory to its passage.

Mr. Roberts moved that House Substitute for House Bill No. 283 do now pass, which motion prevailed, and the Speaker declared said bill to have passed the House.

House Bill No. 239 read a third time by title preparatory to its passage.

Mr. Davidson moved that House Bill No. 239 do now pass, which motion prevailed, and the Speaker declared said bill to have passed the House.

House Bill No. 163 read a third time by title preparatory to its passage.

Mr. Valdez moved that House Bill No. 163 do now pass, which motion prevailed, and the Speaker declared House Bill No. 163 to have passed the House.

House Substitute for House Bill No. 238 read a third time by title preparatory to its passage.

Mr. Roberts moved that House Bill No. 238 do now pass,

which motion prevailed, and the Speaker declared said bill to have passed the House.

House Bill 282 read a third time by title preparatory to its passage.

Mr. Brown moved that House Bill No. 282 do now pass, which motion prevailed and the Speaker declared said bill to have passed the House.

House Bill No. 293 read a third time by title preparatory to its passage.

Mr. Brown moved that House Bill No. 293 do now pass, which motion prevailed, and the Speaker declared said bill to have passed the House.

Council Bill No. 162 read a third time by title preparatory to its passage.

Mr. Sanchez moved that Council Bill No. 162 do now pass, which motion prevailed, and the Speaker declared said bill to have passed the House.

House Bill No. 216 read a third time by title preparatory to its passage, and amendments thereto read in full.

Mr. Sanchez moved that House Bill No. 216 with its amendments be laid on the table indefinitely, which motion prevailed.

Council Substitute for Council Bill No. 3 read a third time by title preparatory to its passage.

Mr. Garcia moved that Council Substitute for Council Bill No. 3 do now pass, which motion prevailed and the Speaker declared said bill to have passed the House.

Council Bill No. 52 read a third time by title preparatory to its passage.

Mr. Brown moved that Council Bill No. 52 do now pass, and the roll call being demanded, resulted as follows:

Ayes—Baca, Brice, Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Pacheco, Sanchez, Sweezy, Tipton, Valdez, Mr. Speaker—15.

Nays—Baker, Blattman, Davidson, Mirabal, Moffett, Mullens, Roberts, Walters—8.

The result being in the affirmative the Speaker declared said bill to have passed the House.

The following message from the Council was received:

“Mr. Speaker:

I am directed by the Honorable Legislative Council to inform this Honorable Body that the Council has never had before it for consideration House Substitute for House Bill No. 144 and has

never concurred in the passage of the same, for that reason it has instructed me to inform the Speaker of this House of that fact, and respectfully asks the recall of said bill from the Governor's office where the Council has been informed it has been sent for his signature.

That it has concurred in the passage of House Bill No. 237, and has duly passed Council Bill No. 167, and asks the concurrence of this Honorable Body in this measure."

Mr. Roberts moved that the clerk be instructed to immediately proceed to the Governor's office and request the return of House Substitute for House Bill No. 144, and that the same be sent to the Council with the request that the Council concur in the passage of the same, which motion prevailed.

Council Substitute for House Joint Resolution No. 4 read a third time by title preparatory to its passage.

Mr. Roberts moved that Council Substitute for House Joint Resolution No. 4 do now pass, which motion prevailed, and the Speaker declared said resolution to have passed the House.

On motion of Mr. Walters, duly seconded and carried, the rules were suspended and Council Bill No. 167 was taken up for consideration and read a third time by title preparatory to its passage,

Under further suspension of the rules, Mr. Roberts moved that Council Bill No. 167 do now pass, which motion prevailed, and the Speaker declared said bill to have passed the House.

By unanimous consent Mr. Walters introduced House Bill No. 299, "An act in relation to irrigation districts."

On motion of Mr. Walters, duly seconded and carried, the rules were suspended and House Bill No. 299 was considered referred, and was read a third time by title preparatory to its passage.

Mr. Walters moved that House Bill No. 299 do now pass, which motion prevailed, and the Speaker declared said bill to have passed the House.

Council Substitute for Council Joint Memorial No. 6 read a third time by title preparatory to its passage. There being no motion for the passage of said memorial, said memorial was tabled indefinitely.

Council Bill No. 76 read a third time by title preparatory to its passage.

Mr. Walters moved that Council Bill No. 76 do now pass, which motion prevailed, and the Speaker declared said bill to have passed the House.

House Substitute for Council Bill No. 118 read a third time by title preparatory to its passage.

Mr. Roberts moved that House Substitute for Council Bill No. 118 do now pass, which motion prevailed, and the Speaker declared said bill to have passed the House.

Council Bill No. 131 read a third time by title preparatory to its passage.

Mr. Brown moved that Council Bill No. 131 be tabled indefinitely and the roll call being demanded resulted as follows:

Ayes—Baker, Brown, Chavez (Bernalillo), Davidson, Gallegos, Garcia, Moffett, Sanchez, Tipton, Valdez—10.

Nays—Baca, Blattman, Bushkevitz, Chavez (Sierra), Martinez, Mirabal, Pacheco, Stackhouse, Sweezy, Walters, Mr. Speaker—11.

The Speaker announced Mr. Brice paired with Mr. Mullens.

Said motion was lost.

Mr. Baca moved that Council Bill No. 131 do now pass, and the roll call being demanded, resulted as follows:

Ayes—Baker, Blattman, Brice, Davidson, Gallegos, Moffett, Pacheco, Sweezy, Valdez—9.

Nays—Brown, Bushkevitz, Chavez (Sierra), Chavez (Bernal-

lillo), Garcia, Martinez, Mirabal, Sanchez, Stackhouse, Tipton, Walters, Mr. Speaker—12.

Said motion was lost.

The following message from the Council was received:

“Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has duly concurred in the passage of House Bills Nos. 209, 290, 244, 163, 298 and has duly passed Council Bills Nos. 145 and 168, and asks the concurrence of this Honorable Body in the same.”

The following message from the Council was announced:

“Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has duly concurred in the passage of House Bill No. 40; that it has also duly passed Council Substitute for Council Bills Nos. 36 and 37, and asks the concurrence of this Honorable Body in this measure.”

Council Bill No. 139 read a third time by title preparatory to its passage and in full for information.

A message from the Governor of New Mexico was received.

Mr. Baker moved that Council Bill No. 139 do now pass, and requested a call of the House. Whereupon the Speaker instructed the sargeant at arms to call the absent members. The vote on Council Bill No. 139 being in the negative, the Speaker declared Council Bill No. 139 as having failed to pass the House.

The following message from the Council was announced:

“Mr. Speaker:

I have been instructed by the Honorable Council to inform this Honorable Body that it has duly concurred in the passage of House Bill No. 299, ‘An act relative to irrigation districts.’ ”

The following messages from the Governor of New Mexico were read:

“Message No. 56.

Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Substitute for House Bill No. 144, ‘An act in relation to irrigation districts.’

Amended House Bill No. 187, ‘An act to amend an act entitled an act to provide for the leasing, sale, management and control of all lands now owned or hereafter acquired by the territory of New Mexico; to create a Territorial public land office, a commissioner thereof, and to prescribe the duties of such officer; to provide for the care, custody, disposition and investment of moneys derived from all territorial lands by leasing, sale or otherwise, and for other purposes,’ approved March 21, 1907, and for other purposes.’

House Bill No. 120, ‘An act to regulate elections and to provide for non-partisan election boards and to punish certain crimes, to amend and repeal certain portions of the Compiled Laws of 1897 relating to elections, and for other purposes.’

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico.”

“Message No. 57.

Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Bill No. 122, ‘An act for furnishing of proper bonds by Territorial Officers.’

House Bill No. 295, 'An act to extend provisions of herd law to Curry county.'

Council Bill No. 7, 'An act providing for incorporations of villages.'

Council Substitute for Council Bill No. 6, 'Defining rights to occupying claimants.'

Council Bill No. 153, 'An act relating to assessment of lands for taxes.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

"Message No. 58.

Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Joint Resolution No. 10, 'providing for additional pay for the regular employees of the Capitol.'

Council Joint Resolution No. 12, 'Protesting to the Secretary of the Interior against further holding of agricultural lands from entry.'

Council Bill No. 162, 'An act regulating and fixing the compensation of treasurers and assessors of the several counties of the Territory of New Mexico.'

Amended Council Bill No. 71, 'An act entitled an act establishing a Conservation Commission and a Natural Resources Survey of the Territory of New Mexico, providing appropriation therefor and for other purposes.'

Council Bill No. 119, 'An act changing the boundaries between Socorro and Lincoln Counties.'

Council Bill No. 156, 'An act fixing the time for holding district courts at Valencia, Socorro and Grant Counties.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

Council Bill No. 146 read a third time by title preparatory to its passage.

Mr. Roberts moved that Council Bill No. 146 do now pass, and the vote being in the affirmative, the Speaker declared said bill to have passed the House.

Council Bill No. 148 read a third time by title preparatory to its passage.

Mr. Roberts moved that Council Bill No. 148 do now pass, and

the vote being in the affirmative, the Speaker declared Council Bill No. 148 to have passed the House.

Council Bill No. 149 read a third time by title preparatory to its passage.

Mr. Mullens moved that Council Bill No. 149 do now pass, and the vote being in the affirmative, the Speaker declared said bill to have passed the House.

Council Bill No. 152 read a third time by title preparatory to its passage.

Mr. Sanchez moved that Council Bill No. 152 do now pass, and the vote being in the affirmative, the Speaker declared said bill to have passed the House.

Council Bill No. 154 read a third time by title preparatory to its passage.

Mr. Martinez moved that Council Bill No. 154 do now pass, and the vote being in the affirmative the Speaker declared said bill to have passed the House.

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has concurred in the passage of House Bill No. 282, 'An act relative to supplying of water to cities and towns, and for other purposes.'

Council Bill No. 153 read a third time by title preparatory to its passage.

Mr. Brown moved that Council Bill No. 153 be tabled indefinitely, and the roll call being demanded resulted as follows:

Ayes—Brown, Bushkevitz, Davidson, Gallegos, Garcia, Mirabal, Mullens, Sanchez, Tipton—9.

Nays—Baca, Baker, Blattman, Brice, Chavez (Sierra), Chavez (Bernalillo), Martinez, Moffett, Pacheco, Roberts, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—15.

Said motion was lost.

Mr. Pacheco moved that Council Bill No. 153 do now pass, and the vote being in the affirmative, the Speaker declared said bill to have passed the House.

Council Joint Memorial No. 7 read a third time by title preparatory to its passage.

Mr. Roberts moved that Council Joint Memorial No. 7 do now pass, and the vote being unanimous, the Speaker declared said memorial to have passed the House.



Council Substitute for House Bill No. 137 read a third time by title preparatory to its passage.

Mr. Valdez moved that Council Substitute for House Bill No. 137 do now pass, and the vote being in the affirmative the Speaker declared said bill to have passed the House.

Council Bill No. 7 read a third time by title preparatory to its passage.

Mr. Baker moved that Council Bill No. 7 do now pass, and the vote being in the affirmative, the Speaker declared said bill to have passed the House.

Council Bill No. 122 read a third time by title preparatory to its passage and amendments thereto read in full.

Mr. Roberts moved that Council Bill No. 122 as amended do now pass.

Mr. Valdez moved an amendment to the motion of Mr. Roberts, that the amendments to Council Bill No. 122 be tabled indefinitely and the roll call being demanded, resulted as follows:

Nays—Baca, Blattman, Chavez (Sierra), Chavez (Bernalillo), (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Pacheco, San-  
erts, Stackhouse, Tipton—9.

Nays—Baker, Brice, Davidson, Moffett, Mullens, Roberts, Stackhouse, Tipton—8.

The result being in the affirmative, said amendments were tabled indefinitely.

Mr. Valdez moved that Council Bill No. 122 do now pass.

Mr. Roberts moved an amendment to the motion of Mr. Valdez, that Council Bill No. 122 be tabled indefinitely, and the roll call being demanded, resulted as follows:

Ayes—Baker, Brice, Brown, Bushkevitz, Davidson, Garcia, Moffett, Mullens, Roberts, Stackhouse, Tipton Walters—12.

Nays—Baca, Blattman, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Martinez, Mirabal, Pacheco, Sanchez, Sweezy, Valdez, Mr. Speaker—12.

Said amendment was lost, and the question recurred on the motion of Mr. Valdez, that Council Bill No. 122 do now pass, and the roll call being demanded, resulted as follows:

Ayes—Baca, Blattman, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Mirabal, Pacheco, Sanchez, Sweezy, Valdez, Walters, Mr. Speaker—15.

Nays—Baker, Brice, Brown, Davidson, Moffett, Mullens, Roberts Stackhouse, Tipton—9.

The result being in the affirmative the Speaker declared Council Bill No. 122 to have passed the House.

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives, that it has failed to concur in the passage of House Bill No. 27, but has passed in lieu thereof Council Substitute for House Bill No. 27, and asks the concurrence of this Honorable Body in the same."

Council Bill No. 161 read a third time by title preparatory to its passage.

A message from the Governor of New Mexico was received.

Mr. Roberts moved that Council Bill No. 161 do now pass, and the vote being unanimous, the Speaker declared said bill to have passed the House.

The following message from the Governor was read:

"Message No. 59.

Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Substitute for Council Bill No. 109, 'An act entitled an act to revise and systematize the school laws of the Territory of New Mexico.'

Council Bill No. 77, 'An act to provide for the distribution and application of money received by the Territory of New Mexico from U. S. Government as its portion of the income from the forest reserves within the said Territory.'

Council Bill No. 52. 'An act entitled an act amending Section 2575 and 2578 of the Compiled Laws of 1897 and creating district attorneys for the counties of Union and Colfax.'

Council Bill No. 101, 'An act to amend Sections 20 and 21 of Chapter 57 of the laws of 1907 and for other purposes.'

House Substitute for House Bill No. 285 and Council Bill No. 151, 'An act relating to water rights.'

House Bill No. 198, 'An act relative to building and loan associations.'

House Bill No. 209, 'An act entitled an act amending Chapter 52 of the laws of 1903, entitled 'An act relating to trust companies.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

Steering Committee Substitute for House Bill No. 1 with amendments read a third time by title preparatory to its passage.

Mr. Bushkevitz moved that Steering Committee Substitute for House Bill No. 1 do now pass, the result being in the negative, said motion was lost.

Council Bill No. 94 read a third time by title preparatory to its passage.

Mr. Sanchez moved that Council Bill No. 94 do now pass, and the vote being in the affirmative the Speaker declared said bill to have passed the House.

Council Substitute for House Bill No. 27 read a third time by title preparatory to its passage.

Mr. Roberts moved that Council Substitute for House Bill No. 27 do now pass, and the vote being in the affirmative, the Speaker declared said bill to have passed the House.

Council Bill No. 168 read a third time by title preparatory to its passage.

Mr. Roberts moved that Council Bill No. 168 do now pass, and the vote being in the affirmative, the Speaker declared said bill to have passed the House.

Mr. Valdez moved that the vote by which Council Bill No. 131 failed to pass the House be reconsidered, which motion prevailed.

Mr. Martinez moved that Council Bill No. 131 do now pass, and the roll call being demanded, resulted as follows:

Ayes—Baca, Blattman, Brice, Bushkevitz, Martinez, Pacheco, Roberts, Stackhouse, Sweezy, Valdez, Walters, Mr. Speaker—12.

Nays—Baker, Brown, Chavez (Sierra), Chavez (Bernalillo), Davidson, Gallegos, Garcia, Mirabal, Moffett, Mullens, Sanchez, Tipton—12.

Said motion was lost.

Mr. Bushkevitz moved that the vote by which Council Bill No. 94 failed to pass the House be reconsidered, which motion prevailed.

The following message from the Council was received:

“Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that his excellency, the Governor of New Mexico has returned Council Bill No. 6 for correction, also that the Council has duly corrected the same by inserting the enacting clause, which was omitted, and respectfully asks that the House concur in the amendment; also that it has concurred in the passage of House Bill No. 295.”

Mr. Walters moved that the rules be suspended, and that the House do now concur in the amendment to Council Bill No. 6, which motion prevailed.

Mr. Bushkevitz moved that Council Bill No. 94 do now pass, and the roll call being demanded, resulted as follows:

Ayes—Baca, Blattman, Bushkevitz, Chavez (Sierra), Chavez (Bernalillo), Gallegos, Garcia, Martinez, Pacheco, Sanchez, Stackhouse, Valdez, Walters, Mr. Speaker—14.

Nays—Baker, Brice, Brown, Davidson, Mirabal, Moffett, Mullens, Roberts, Tipton—9.

The result being in the affirmative the Speaker declared Council Bill No. 94 to have passed the House.

The following messages from the Governor of New Mexico were read:

“Message No. 60.

Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

House Substitute for Council Bill No. 118, ‘An act concerning claims to rights of properties for the use of water.’

House Bill No. 163, ‘An act to provide for the collection of certain occupation taxes by the incorporated cities in the Territory of New Mexico.’

House Bill No. 273, ‘An act in reference to the qualifications of voters repealing Chapter 21, laws of 1907.’

House Bill No. 282, ‘An act relating to supplying water to cities and towns and the inhabitants thereof.’

House Bill No. 298, ‘An act to amend House Substitute for House Bill No. 89, of the 38th Legislative Assembly entitled an act to regulate the use of artesian wells, etc., approved March 17, 1909.’

House Bill No. 40, ‘An act to amend Section 18 of Chapter 49 of the laws of the 37th Legislative Assembly of the Territory of New Mexico.’

House Bill No. 290, ‘An act amending Section 7 of Chapter 101 of the acts of the 36th Legislative Assembly.’

House Bill No. 299, ‘An act in relation to irrigation ditches.’

Amended House Bill No. 244, ‘An act for the disposition of certain insurance money.’

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico.”

"Message No. 61.

Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Bill No. 122, 'An act for furnishing of proper bonds by territorial officers.'

House Bill No. 295, 'An act to extend provisions of the herd law to Curry County.'

Council Bill No. 7, 'An act providing for the incorporation of villages.'

Council Substitute for Council Bill No. 6, 'An act defining property rights of occupying claimants.'

Council Bill No. 153, 'An act relating to assessment of lands for taxes.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

"Message No. 62.

Santa Fe, New Mexico, March 18, 1909

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

Council Bill No. 154, 'An act amending Section 25, Chapter 97, laws of 1907, relating to levying of school taxes.'

Council Bill No. 167, 'An act to locate and establish the New Mexico Reform School at the town of Springer in Colfax County.'

Council Substitute for House Joint Resolution No. 4, 'extending thanks to the President for assistance in statehood matter.'

Council Bill No. 76, 'An act to amend Section 2535, Compiled Laws of 1897, relative to tax levy for park purposes.'

Council Bill No. 152, 'An act relating to town marshals.'

Council Substitute for Council Bill No. 3, 'An act relative to the unauthorized wearing or use of badges, etc.'

Conference Substitute for Council Substitute for House Bills Nos. 262 and 156, appropriating bill.

I am gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."

Council Bill No. 133 read a third time by title preparatory to its passage, and the amendments thereto read in full.

Mr. Roberts moved that the amendments be adopted, which motion prevailed.

Mr. Baca moved that Council Bill No. 133, as amended, do now pass, and the vote being in the affirmative the Speaker declared Council Bill No. 133, as amended to have passed the House.

Council Substitute for Council Bills Nos. 63 and 64 read a third time by title preparatory to its passage, and the amendments thereto read in full.

Mr. Roberts moved that Council Substitute for Council Bills Nos. 63 and 64, as amended, do now pass, and the vote being in the affirmative the Speaker declared said Substitute, as amended, to have passed the House.

House Substitute for House Bill No. 176 read a third time by title preparatory to its passage.

Mr. Walters moved that House Substitute for House Bill No. 175 do now pass, and the vote being in the affirmative the Speaker declared said Substitute to have passed the House.

Mr. Walters moved that the Speaker appoint a committee of three to notify the Council that the House had finished its duties, also a like committee to notify the Governor of New Mexico to the same effect, which motion prevailed.

Whereupon the Speaker appointed Messrs. Walters, Chavez (Bernalillo) and Brice, as a committee to notify the Governor, and Messrs. Mirabal, Valdez and Brown, as a like committee to notify the Council.

Mr. Walters moved that the House do now take a recess to await the report of the committees, which motion prevailed.

The House called to order, Mr. Mirabal, chairman of the committee appointed to interview the Council, reported as follows:

"Mr. Speaker:

Your committee appointed to notify the Honorable Legislative Council that this House had finished its labors and ask the hour that it would adjourn, beg leave to report, that we notified the Honorable Council, that the President of the Council notified this committee that as soon as the Council had received a message from the Governor of New Mexico, that the Council would adjourn.

SILVESTRE MIRABAL, Chairman."

Mr. Walters, chairman of the committee appointed to interview the Governor, reported as follows:

"Mr. Speaker:

Your committee appointed to notify the Governor of New Mexico that this House has completed its labors, beg leave to call attention in making its report to the announcement of the chairman

of the committee from the Honorable Council, and the message referred to by the committee from the Governor of New Mexico, is, I presume now on the clerk's desk; the Governor instructed us that on delivery of that message he would have no further communication to present to this Honorable Body, Your committee therefore respectfully asks to be discharged.

PRICE WALTERS,  
C. R. BRICE,  
M. CHAVEZ."

The following message from the Council was received:

"Mr. Speaker:

I have been instructed by the Honorable Council to announce to the Honorable House of Representatives that it has duly concurred in the passage of House Substitute for House Bill No. 176, and Substitute for House Bill No. 192.

A message from the Governor was received:

By unanimous consent Mr. Brice introduced House Bill No. 300, "An act making additional appropriation for the New Mexico Military Institute at Roswell, New Mexico."

On motion of Mr. Brice, duly seconded and carried, House Bill No. 300 was read a third time by title preparatory to its passage.

Mr. Catron, chairman of the committee from the Council to announce to the House that it had completed its labors, reported as follows:

"Mr. Speaker:

We have been instructed by the Honorable Council to inform this Honorable Body that the Council will have concluded its business, as soon as the bills now in the hands of the Governor can be acted upon, and request that this Honorable Body appoint a like committee to inform the Governor that the two houses are now ready to adjourn and ask him whether he has any further communications for us."

Whereupon the Speaker appointed Messrs. Chavez, Valdez and Walters as said committee.

Under further suspension of the rules Mr. Brice moved that House Bill No. 300 do now pass, and the roll call being demanded, resulted as follows:

Ayes—Baca, Baker, Blattman, Brice, Brown, Bushkevitz, Chavez (Sierra), Davidson, Gallegos, Garcia, Mirabal, Moffett, Mullens, Roberts, Stackhouse, Sweezy, Tipton, Valdez, Walters, Mr. Speaker—20.

Nays—Pacheco, Sanchez—2.

The result being in the affirmative, the Speaker declared House Bill No. 300 to have passed the House.

Mr. Walters, chairman of the conference committee, reported as follows:

"Mr. Speaker:

Your Conference Committee beg leave to report that we have visited the Governor and he informs us that he had fifteen minutes more work to do and he will then make his final message to us."

On behalf of the members of the House Mr. Roberts then presented the Speaker with a beautiful silver set, and on behalf of the employees, Mr. Baca, the Sergeant at Arms presented Mr. E. H. Salazar, Chief Clerk of the House with a handsome gold watch suitably engraved.

A message from the Governor was received, and it was announced that this would be the Governor's last message.

Message No. 64 was then read as follows:

"Santa Fe, New Mexico, March 18, 1909.

Mr. Speaker:

I have the honor to inform you that I have this day signed the following:

H. S. for House Bill No. 192, 'An act providing for drainage in unincorporated towns and villages, and for other purposes.'

C. S. for C. Bills Nos. 63 and 64, 'An act repealing Sections 1259, 1260, 1261, 1262, 1263, 1264 and 1265 C. L. 1897.'

C. Bill 149, 'An act prohibiting intoxicating liquors upon armory grounds and in armory buildings.'

C. S. House Bill 27, 'An act relating to corporations.'

C. Bill 168, 'An act to authorize county commissioners to prohibit running at large of animals in unincorporated towns containing over 500 inhabitants.'

C. Bill 94, 'An act to amend Chap. 77 Acts 30th Legislative Assembly of New Mexico.'

C. Bill 148, 'An act to amend sub-section 307 Sec. 2685 C. L. 1897.'

H. Bill 300, 'Making additional appropriation for the maintenance of the New Mexico Military Institute at Roswell, N. M.'

C. J. M. No. 7, 'Land scrip for the relief of Santa Fe and Grant counties.'

I am, gentlemen, respectfully yours,

GEORGE CURRY, Governor of New Mexico."



The Governor of New Mexico addressed the House complimenting the members of the House for their faithful work during this session, and thanking them for their loyal support.

Mr. Roberts moved that a vote of thanks be extended to the Governor of New Mexico for his kind remarks, which motion prevailed.

Mr. Walters moved that the House do now adjourn sine die, which motion was duly seconded and carried, and this House stands adjourned sine die.

Approved:

E. A. MIERA,  
Speaker.

Attest:

E. H. SALAZAR,  
Chief Clerk.



